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THE
HARLEIAN MISCELLANY;
OR, A
COLLECTION
OF
SCARCE, CURIOUS, AND ENTERTAINING
PAMPHLETS AND TRACTS,
AS WELL IN MANUSCRIPT AS IN PRINT,
FOUND IN THE LATE
EARL OF OXFORD'S LIBRARY,
INTERSPERSED WITH
HISTORICAL, POLITICAL, AND CRITICAL
NOTES.

VOL. V.

LONDON
PRINTED FOR ROBERT DUTTON, GRACECHURCH-STREET.

1810.

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OR A
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HISTORICAL, POLITICAL, AND CRITICAL
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VOL. V.

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- liament, that these speeches be forthwith printed and published. H. Elsing, Cler. Parl. D. Com. London, printed for John Norman, for the good of the commonwealth, 1642. Quarto, containing eight pages 218
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- The Petition of the gentlemen and students of the university of Cambridge. Offered to both houses, upon Wednesday, being the fifth day of January, 1642; upon the arrival of that news to them, of the bishops late imprisonment. With their appeal to his most excellent Majesty. Printed at London, for John Greensmith, 1642. Quarto, containing eight pages. 239
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Pulchrum pro patria mori.

London, printed in the year 1642. Quarto, containing thirty-four pages 272

An humble Declaration of the Apprentices and other young men of the city of London, who were petitioners for peace; shewing the causes of their petitioning, and the passages concerning it. Together with a true copy of their petition, as it was delivered to both Houses of Parliament, disclaiming those in print, which were without their knowledge;

Nulla salus bello, pacem te poscimus omnes.

Printed at London, 1642. Folio, containing eight pages 302

A short View of the Life and Death of George Villiers, Duke of Buckingham. Written by Sir Henry Wotton, knight, late provost of Eaton College. London, Printed for William Sheares, 1642. Quarto, containing thirty pages 307

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Quis leget hæc?

Vel duo, vel nemo. PERSIUS.

Printed in the year 1643. Quarto, containing eight pages. . . . 332

The Power of the Laws of a Kingdom over the will of a misled King. Leyden, printed by William Christienne, 1643. Quarto, containing eight pages 336

The Character of an Oxford Incendiary. Printed for Robert White, in 1643. Quarto, containing eight pages. 339

Seasonable advice for preventing the mischief of Fire, that may come by negligence, treason, or otherwise. Ordered to be printed by the Lord Mayor of London: and is thought very necessary to hang in every man's house, especially in these dangerous times. Invented by William Gosling, engineer. Printed for H. B. at the Castle Inn, Cornhill, 1643. In one sheet, broadside 346

The Five years of King James, or, the condition of the state of England, and the relation it had to other provinces. Written by Sir Foulk Grevill, late Lord Brook. London, printed for W. R. in the year 1643. Quarto, containing eighty-four pages 349

The Rebels Catechism ; composed in an easy and familiar way, to let them see the heinousness of their offence, the weakness of their strongest subterfuges, and to recall them to their duties both to God and man.

*Whosoever resisteth the power, resisteth the ordinance of God ;
and they that resist, shall receive to themselves dam-
nation.* Rom. xiii. 2.

Printed 1643. Quarto, containing twenty-two pages 403

Articles and Ordinances of War, for the present expeditions of the army of the kingdom of Scotland. By the Committee of Estates, and his excellency, the lord general of the army. Edinburgh, printed by Evan Tyler, printer to the King's most excellent Majesty, 1643. Quarto, containing sixteen pages 422

Vindex Anglicus; or, the Perfections of the English Language defended and asserted. Printed Anno Dom. MDCXLIV. Quarto, containing six pages 423

A Nest of Perfidious Vipers ; or, the second part of the parliament's calendar of black saints. Pictured forth in a second arraignment, or gaol-delivery of malignants, jesuits, arminians, and cabinet-counsellors, being the fatal engineers, plotters, and contrivers of treasons against the parliament, our religion, laws, and lives. Condemned according to their several crimes. London, printed according to order, for G. Bishop, September 21, 1644. Quarto, containing eight pages 434

Two Ordinances of the Lords and Commons assembled in Parliament, for the speedy demolishing of all organs, images, and all manner of superstitious monuments in all cathedral or parish churches and chapels, throughout the kingdom of England, and dominion of Wales, the better to accomplish the blessed reformation so happily begun, and to remove all offences and things illegal in the worship of God. Die Jovis, 9 Maii, 1644. Ordered by the Lords in parliament assembled, that these ordinances shall be forthwith printed and published. Jo. Brown, Cler. Parliamentorum. London, printed for John Wright, in the Old-Baily, May 11, 1644. Quarto, containing eight pages 440

England's Tears for the present wars, which, for the nature of the quarrel, the quality of strength, the diversity of battles, skirmishes, encounters, and sieges, happened in so short a compass of time, cannot be paralleled by any precedent age.

*Hei mihi quam misere rugit leo, lilia languent,
Heu, lyra, quam mæstos pulsat hiberna sonos.*

Printed at London, according to order, by Richard Heron, 1644. Quarto, containing twenty-two pages 443

Mock-Majesty : or, the Siege of Munster, being a true story of those fine things, wherewith King John Becock, at first a botcher of

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Leyden, by profession, and his companions the Anabaptists, pleased themselves, after they were become masters of that city. You shall here likewise have the issue of the whole mock-show.

*Quidam, ut imperium subvertant, libertatem proferunt; si
subreterint, ipsam aggredientur.* C. TACITUS.
Malignitati falsa species libertatis inest.

Idem, Histor. Lib. 1.

ELEUTHEROPOLI. Anno ANABAPTISTOMANIAE, C.XIIX.

Imprimatur, JAMES CRANFORD.

London, printed for J.S. and L. C. 1644. Quarto, containing thirty-
two pages 455

The Archbishop of Canterbury's Speech: or, his Funeral Sermon
preached by himself on the scaffold on Tower-hill, on Friday the
tenth of January, 1644, upon Hebrews xii. i, 2. Also, the prayers
which he used at the same time and place before his execution. All
faithfully written by John Hinde, whom the archbishop beseeched
that he would not let any wrong be done him by any phrase in false
copies. Licensed and entered according to order. London, printed
by Peter Cole, at the sign of the Printing Press, in Cornhill, near
the Royal Exchange, over against Pope's head alley, 1644.
Quarto, containing twenty pages 478

The Irish Cabinet: or, his Majesty's secret papers for establishing the
papal clergy in Ireland, with other matters of high concernment,
taken in the carriage of the Archbishop of Tuam, who was slain at
the late fight at Sleigo in that kingdom. Together with two exact
and full relations of the several victories obtained by the parlia-
ment's forces, through God's blessing, in the same kingdom.
Ordered by the Commons assembled in parliament, that his Ma-
jesty's papers, taken at Sleigo, be forthwith printed and published.
H. Elsyng, Cler. Parl. D. Com.
London, printed for Edward Husband, printer to the honourable
House of Commons, and are to be sold at his shop at the sign of the
Golden Dragon, in Fleet-street, near the Inner-Temple, January
20, 1645. Quarto, containing twenty-eight pages 485

An Enquiry into the physical and literal sense of that scripture, Jere-
miah, viii. 7,

*The stork in the heaven knoweth her appointed times; and the
turtle, and the crane, and the swallow observe the time of
their coming, &c.*

Written by an eminent professor for the use of his scholars, and now
published at the earnest desire of some of them. Printed by J. H.
no date. Duodecimo, containing thirty-six pages 498

A Speech of the right honourable the Earl of Loudon, lord chancellor
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upon the twelfth of September, 1645. Published by authority.
Printed at London, by E. P. for Hugh Perry, and are to be sold at
his shop in the Strand, 1645. Quarto, containing eight pages 511

The King's Cabinet opened; or, certain packets of secret letters and
papers. Written with the King's own hand, and taken in his
cabinet at Nasby-field, June 14, 1645, by victorious Sir Thomas

Fairfax; wherein are many mysteries of state, tending to the justification of that cause, for which Sir Thomas Fairfax joined battle that memorable day, clearly laid open; together with some annotations thereupon. Published by special order of the parliament. London, printed for Robert Bostock, dwelling in St. Paul's Church-yard, at the sign of the King's head, 1646. Quarto, containing seventy-two pages 514

A true Narrative of the occasions and causes of the late Lord General Cromwell's anger and indignation against Lieutenant-Colonel George Joyce (sometimes Cornet Joyce, who secured the King at Holmby), and his proceedings against him to cashier him from the army, and imprison and destroy him in his estate. Folio, containing four pages 557

The Earl of Glamorgan's Negotiations, and colourable commitment in Ireland demonstrated: or, the Irish Plot, for bringing ten thousand men and arms into England, whereof three hundred to be for Prince Charles's life-guard. Discovered in several letters, taken in a packet-boat, by Sir Thomas Fairfax's forces, at Padstow, in Cornwall. Which letters were cast into the sea, and, by the sea coming in, afterwards regained; and were read in the honourable House of Commons. Together with divers other letters, taken by Captain Moulton, at sea, near Milford-Haven, coming out of Ireland, concerning the same plot and negotiation. Ordered by the Commons assembled in parliament, that these letters be forthwith printed and published.

H. Elsynge, Cler. Parl. D. Com.

London, printed for Edward Husband, printer to the honourable house of commons, March 17, 1645. Quarto, containing thirty-six pages 562

THE
HARLEIAN MISCELLANY.

AN
HONOURABLE AND WORTHY SPEECH,

Spoken in the High Court of Parliament,

BY MR. SMITH OF THE MIDDLE-TEMPLE,

October 28, 1641,

Concerning the Regulating of the King's Majesty's Prerogative, and the Liberties of the Subjects. With a Motion for the speedy Redress of all Grievances, under which the Church and State do lie.

London, printed by Bernard Alsop, 1641, Quarto, containing eight Pages.

Mr. Speaker,

THE last time we assembled, we sat like a college of physicians, upon the life and death of three great patients; whose bleeding hearts lay prostrate before us, and we arrived at that critical minute, either to receive relief, or eternal destruction. The three fortunate nations were presented to us, in all their distractions, and grown to such a superlative in their miseries, that, like nursing mothers bereaved of their tender infants, they were careless of what might happen to them, *Quia perdiderunt libertates*. These three kingdoms, whose peace and amity filled the remaining world with envy and emulation, and were, like that happy trinity of faith, hope, and charity, in a perfect union, had but now their swords edged to each others confusion. *O scelus hominum!* Height of impiety! *Kai su teknon!* said Cæsar in the senate; it was not his death that grieved him, but that his son should advance his hand to his slaughter. How many sons and Neroes had we, whose earnest endeavours were to rip up their mother's womb, and, like vipers, eat through her bowels, and to lay desolate their father's house:

———— *Quis talia fando*
Temperet a lachrymis? ————

And yet all this had been but a prologue to our tragedy, had not God Almighty pleased to interpose his hand, and to have been a pillar

of fire betwixt us and our captivity, and to have wrought our deliverance, by his great instrument, the parliament; whose constant labour it hath been, for this year past, to create a true understanding and firm peace between the nations; which I hope is so accomplished, that it is not in the power of the devil, or all his works, ever to dissolve it. This, I say, was the work of our last sitting. Give me leave, sir, I beseech you, to deliver what I conceive convenient to be of this: 'To give God his due, to establish rights between king and people, and to compose things amongst ourselves.' That we may give God his due, we must advance his worship, and compel obedience to his commands, wherein he hath been so much neglected. Honour and riches have been set up for Gods, in competition with him; idolatry and superstition have been introduced, even into his house, the church, and he expelled; his name hath been blasphemed, and his day prophaned, by the authority of that unlawful book of sports; and those, who would not tremble thus to dishonour God, would not scruple to do it to their parents, or injure their neighbours, either by murder of themselves, or names, or by adultery, David's great crimes: They have not only robbed God of his honour, but men of their estates, and of part of themselves; members and ears have been set to sale, even to the deforming of that creature, whom God had honoured with his own image; that they might colour this their wickedness, perjury and false testimony have been more frequent with them, than their prayers; and all this proceeded out of an inordinate desire of that which was their neighbours; and thus God in all his commandments hath been abused. Can we then wonder at his judgments, or think he could do less to right himself upon such a rebellious people than he hath?

I beseech you, sir, let us do something to seat him in his throne, and worship all with one mind, and not that every one should go to God a way by himself; this uncertainty staggers the unresolved soul, and leads it into such a labyrinth, that, not knowing where to fix, for fear of erring, sticks to no way; so dies before it performs that, for which it was made to live: Uniformity in his worship is that which pleaseth him, and if we will thus serve him, we may expect protection from him.

The next thing that I conceive fit to be considered, is, to cause the rights, both of the king and people, truly to be understood; and in this, to give that authority to the prerogative which legally it hath, and to uphold the subjects liberty from being minced into servitude.

That the king should have a prerogative, is necessary for his honour; it differences him from his people; but, if it swells too high, and makes an inundation upon his subjects liberty, it is no longer then to be stiled by that name: the privilege of the subject is likewise for his majesty's high honour. King David gloried in the number of his people; and Queen Elisabeth delivered in a speech in parliament, that the greatness of a prince consisted in the riches of his subjects; intimating, that then they stood like lofty cedars about him to defend him from the storms of the world, and there were ample demonstrations of that, in that renowned queen's reign; but what encouragement can they have, either to increase their numbers, or estates, unless they may have protection both

for themselves, and estates? therefore, the privilege and greatness of the subjects are relatively for the honour of the prince.

Prerogative and liberty are both necessary to this kingdom; and, like the sun and moon, give a lustre to this benighted nation, so long as they walk at their equal distances; but when one of them shall venture into the other's orb, like those planets in conjunction, they then cause a deeper eclipse. What shall be the compass then, by which these two must steer? Why, nothing but the same by which they are, the law; which if it might run in the free current of its purity, without being poisoned by the venomous spirits of ill-affected dispositions, would so fix the king to his crown, that it would make him stand like a star in the firmament, for the neighbour-world to behold and tremble at.

That they may be the better acted, I shall humbly desire, that after so many times, that great charter, the light of the law, may be reviewed, the liberty of the subject explained, and be once more confirmed; and penalties imposed on the breakers, and let him die unto the bargain, that dares attempt the act.

The last thing, that falls into consideration, is, to set things right amongst ourselves, the subjects of England; and in this, so to provide, that the *Mæcenasses* of the times may not, like great jacks in a pool, devour their inferiors, and make poverty a pavement for themselves to trample on. This hath been a burthen we have long groaned under; for if a great one did but say the word, it was sufficient to evict my right, even from my own inheritance. They had both law and justice so in a string, that they could command them with a nod; and thus people have been disinherited of their common right, the law, which is as due to them, as the air they breathe in.

On the other side, we must take care, that the common people may not carve themselves out justice, by their multitudes. Of this we have too frequent experience, by their breaking down inclosures, and by raising other tumults, to as ill purposes; which if they be not suddenly suppressed, to how desperate an issue this may grow, I will leave to your better judgments. My humble motion, therefore, is, that an intimation may go forth, unto the country, to wish those that are injured to resort to courts of law. And, if there they fail of justice, in parliament they may be confident to receive it.

CASES OF TREASON.

WRITTEN BY

SIR FRANCIS BACON, KNIGHT,

HIS MAJESTY'S SOLLICITOR-GENERAL.

Printed at London, by the Assigns of John Moore, and are sold by Matthew Walbanck, and William Coke, Anno. 1641. Quarto, containing thirty-eight Pages.

CHAP. I.

WHERE a man doth compass or imagine the death of the king, the king's wife, the king's eldest son, and heir apparent, if it appear by any overt-act, it is treason.

Where a man doth violate the king's wife, the king's eldest daughter, unmarried, the wife of the king's eldest son, and heir apparent, it is treason.

Where a man doth levy war against the king in the realm, it is treason.

Where a man is adherent to the king's enemies, giving them aid and comfort, it is treason.

Where a man counterfeiteth the king's great seal, privy signet, sign manual, it is treason; likewise his money.

Where a man bringeth into this realm false money, counterfeited to the likeness of English, with intent to merchandise or make payment thereof, and knowing it to be false money, it is treason.

Where a man counterfeiteth any coin current in payment within this realm, it is treason.

Where a man doth bring in any money, being current within the realm, the same being false and counterfeit, with intent to utter it, and knowing the same to be false, it is treason.

Where a man doth clip, waste, round, or file any of the king's money, or any foreign coin, current by proclamation, for gain's sake, it is treason.

Where a man doth any way impair, diminish, falsify, scale, or lighten money current by proclamation, it is treason.

Where a man killeth the chancellor, the treasurer, the king's justices in Eyre, the king's justices of assizes, the justices of Oyer and Terminer, being in their several places, and doing their offices, it is treason.

Where a man procureth or consenteth to treason, it is treason.

Where a man doth persuade or withdraw any of the king's subjects from his obedience, or from the religion of his majesty established, with intent to withdraw any from the king's obedience, it is treason.

Where a man is absolved, reconciled, or withdrawn from his obedience to the king, or promiseth obedience to any foreign power, it is treason.

Where any jesuit, or any other priest ordained since the first year of the reign of Queen Elisabeth, shall come into or remain in any part of this realm, it is treason.

Where any person, being brought up in a college of jesuits, or seminaries, shall not return within six months after proclamation made, and, within two days after his return, submit himself to take the oath of supremacy, if otherwise he do return, and not within six months after proclamation made, it is treason.

Where a man, committed for treason, doth voluntarily break prison, it is treason.

Where a jailer doth voluntarily permit a man committed for treason to escape, it is treason.

Where a man relieveth or comforteth a traitor, and knoweth of the offence, it is treason.

Where a man doth affirm or maintain any authority of jurisdiction spiritual, or doth put in ure or execute any thing for the advancement or setting forth thereof, the third time, it is treason.

Where a man refuseth to take the oath of supremacy, being tendered by the bishop of the diocese, if he be any ecclesiastical person; or by commission out of the chancery, if he be a temporal person: such offence the second time is treason.

CHAP. II.

The Punishment, Trial, and Proceedings in Cases of Treason.

IN treason, the corporal punishment is by drawing on a hurdle from the place of the prison to the place of execution, by hanging and being cut down alive, bowelling and quartering, and in women, burning.

In treason, there ensueth a corruption of blood in the line ascending and descending.

In treason, lands and goods are forfeited, and inheritances, as well entailed as fee simple, and the profits of estates for life.

In treason, the escheats go to the king, and not to the lord of the fee.

In treason, the land forfeited shall be in the king's actual possession, without office.

In treason, there be no accessaries, but all are principals.

In treason, no sanctuary, nor benefit of clergy, or peremptory challenge, is allowed.

In treason, if the party stand mute, yet nevertheless judgment and attainder shall proceed all one as upon verdict.

In treason, no council is to be allowed, nor bail permitted to the party.

In treason, no witnesses shall be received upon oath for the party's justification.

In treason, if the fact be committed beyond the seas, yet it may be tried in any county where the king will award his commission.

In treason, if the party be *non sanctæ memoriæ*, yet if he had formerly confessed it before the king's council, and that it be certified that he was of good memory at the time of his examination and confession, the court may proceed to judgment, without calling or arrainging the party.

In treason, the death of the party before conviction dischargeth all proceedings and forfeitures.

In treason, if the party be once acquitted, he should not be brought in question again for the same fact.

In treason, no new case not expressed in the statute of 25 Edward III, or made treason by any special statute since, ought to be judged treason, without consulting with the parliament.

In treason, there can be no prosecution but at the king's suit, and the king's pardon dischargeth.

In treason, the king cannot grant over to any subject power and authority to pardon it.

In treason, a trial of a peer of the kingdom is to be, by special commission, before the lord high steward, and those that pass upon him to be none but peers: the proceeding is with great solemnity, the lord steward sitting under a cloth of state, with a white rod of justice in his hand, and the peers may confer together, but are not any ways shut up; and are demanded, by the lord steward, their voices one by one, and the plurality of voices carries it.

In treason, it hath been an ancient use and favour, from the kings of this realm, to pardon the execution of hanging, drawing, and quartering; and to make warrant for their beheading.

The proceeding, in case of treason, with a common subject, is in the king's bench, or by commission of Oyer and Terminer.

CHAP. III.

Cases of Misprision of Treason.

WHERE a man concealeth high treason only, without any consorting or abetting, it is misprision of treason.

Where a man counterfeiteth any foreign coin of gold or silver, not current in the realm, it is misprision of treason.

Where a man fixes an old seal to a new patent it is misprision of treason.

CHAP. IV.*The Punishment, Trial, and Proceedings in Cases of Misprision of Treason.*

THE punishment of misprision of treason is by perpetual imprisonment, loss of the issues and profits of their lands, during life, and loss of goods and chattels.

The proceeding and trial is, as in cases of high treason.

In misprision of high treason, bail is not admitted.

CHAP. V.*Cases of Petty Treason.*

WHERE a servant killeth his master; the wife the husband; the spiritual man his prelate, to whom he is subordinate, and oweth faith and obedience; it is petty treason.

Where a son killeth the father or mother, it hath been questioned, Whether it be petty treason, and the late experience and opinion seemeth to sway to the contrary, though against law and reason in my judgment.

Where a servant killeth his, or her master or mistress, after they are out of service, it is petty treason.

CHAP. VI.*The Punishment, Trial, and Proceedings in Cases of Petty Treason.*

IN petty treason, the corporal punishment is by drawing on an hurdle, and hanging, and in a woman, burning.

In petty treason, the forfeiture is the same with the case of felony.

In petty treason, all accessaries are but in the case of felony.

CHAP. VII.*Cases of Felony.*

WHERE a man committeth murder, or homicide of malice prepensed, it is felony.

Where a man committeth murder, that is breaking of an house, with an intent to commit felony, it is felony.

Where a man committeth man-slaughter, that is homicide of sudden heat, and not of malice prepensed, it is felony.

Where a man rideth armed with a felonious intent, it is felony.

Where a man doth maliciously and feloniously burn any man's house, it is felony.

Where a man doth maliciously, &c. burn corn upon the ground, or in stack, it is felony.

Where a man doth maliciously cut out another man's tongue, or put out his eyes, it is felony.

Where a man robbeth or stealeth, viz. taketh away another man's goods, above the value of twelve pence, out of his possession, with intent to conceal it, it is felony.

Where a man embezzleth and withdraweth any of the king's records at Westminster, whereby a judgment is reversed, it is felony.

Where a man, having the custody of the king's armour, ammunition, or other habiliments of war, doth maliciously convey away the same, it is felony, if it be to the value of twenty shillings.

Where a servant hath goods of his master's delivered unto him, and goeth away with them, it is felony.

Where a man conjures, or invokes wicked spirits, it is felony.

Where a man doth use or practise witchcraft, whereby any person shall be killed, wasted, or lamed, it is felony.

Where a man practiseth any witchcraft, to discover treasure hid, or to discover stolen goods, or to provoke unlawful love, or to impair or hurt any man's cattle or goods the second time, having been once before convicted of like offence, it is felony.

Where a man useth the craft of multiplication of gold or silver, it is felony.

Where a man receiveth a seminary priest, knowing him to be such a priest, it is felony.

Where a man taketh away a woman against her will, not claiming her as his ward or bond-woman, it is felony.

Where a man or woman marrieth again, his or her former husband or wife being alive, it is felony.

Where a man committeth buggery, with man or beast, it is felony.

Where any persons, above the number of twelve, shall assemble themselves with intent to put down inclosures, or bring down prices of victuals, &c. and do not depart after proclamation, it is felony.

Where a man shall use any words to encourage or draw any people together, *ut supra*, and they do assemble accordingly, and do not depart after proclamation, it is felony.

Where a man, being the king's sworn servant, conspireth to murder any lord of the realm, or any privy-counsellor, it is felony.

Where a soldier hath taken any parcel of the king's wages, and departeth without license, it is felony.

Where a recusant, which is a seducer, and persuader, and inciter of the king's subjects against the king's authority in ecclesiastical causes, or a persuader of conventicles, or shall refuse to abjure the realm, it is felony.

Where vagabonds be found in the realm, calling themselves Egyptians, it is felony.

Where a purveyor doth take without warrant, or otherwise doth offend against certain special laws, it is felony.

Where a man hunts in any forest, park, or warren, by night or by day, with vizard, or other disguisements, and is examined thereof, and concealeth his fact, it is felony.

Where one stealeth certain kind of hawks, it is felony.

Where a man committeth forgery the second time, having been once before convicted, it is felony.

Where a man transporteth rams, or other sheep, out of the king's dominions the second time, it is felony.

Where a man, being imprisoned for felony, breaks prison, it is felony.

Where a man procureth, or consenteth to felony to be done, it is felony, as to make him accessory before the fact.

Where a man receiveth or relieveth a felon, it is felony, as to make him accessory after the fact.

Where a woman, by the constraint of her husband, in his presence, joineth with him in committing of felony, it is not felony in her, neither as principal, nor as accessory.

Homicide, or the killing of a man, is to be considered in four kinds, chance-medley, *se defendendo*, man-slaughter, and wilful murder.

CHAP. VIII.

The Punishment, Trial, and Proceedings in Cases of Felony.

IN felony, the corporal punishment is hanging, and it is doubtful, whether the king may turn it into beheading in the case of a peer, or other person of dignity, because, in treason, the striking off the head is part of the judgment, and so the king pardoneth the rest; but in felony, it is no part of the judgment, and the king cannot alter the execution of law; yet precedents have been both ways: If it be upon indictment, the king may, but upon an appeal he cannot.

In felony there followeth corruption of blood, except it be in cases made felony by special statutes, with a proviso, that there shall be no corruption of blood.

In felony, lands in fee-simple, and goods and chattels are forfeited, and the profits of estates for life are likewise forfeited, but not lands intailed: And by some customs, lands in fee-simple are not so forfeited:

The father to the bough,
The son to the plough.

as in gavelkind, in Kent, and other places.

In felony, the escheats go to the lord of the fee, and not to the king, except he be lord: But profits for the estates for lives, or in tail, during the life of tenant in tail, go to the king; and the king hath likewise *annum, & diem, & vastum*.

In felony, lands are not in the king before office, nor in the lord before entry or recovery, in a writ of escheat, or death of the party attainted.

In felony, there can be no proceeding with the accessary, before there be a proceeding with the principal: If he die, or plead his pardon, or have his clergy, before attainder, the accessary can never be dealt with.

In felony, if the party stand mute, and will not put himself upon trial, or challenge peremptorily, above that the law allows, he shall have judgment, not of hanging, but of penance of pressing to death; but there he saves his lands, and forfeits only his goods.

In felony, at the common law, the benefit of clergy, or sanctuary, was allowed; but now by statute, it is taken away in most cases.

In felony, bail may be admitted where the fact is not notorious, and the person not of ill name.

In felony, no counsel is to be allowed to the party, no more than in treason.

In felony, if the fact be committed beyond the seas, or upon the seas, *super altum mare*, there is no trial at all in one case, nor by course or jury in the other, but by the jurisdiction of the admiralty.

In felony, no witness shall be received upon oath for the party's justification, no more than in treason.

In felony, if the party be *non sanæ memoriæ*, although it be after the fact, he cannot be tried nor adjudged, except it be in course of out-lawry, and that is also erroneous.

In felony, the death of the party, before conviction, dischargeth all proceedings and forfeitures.

In felony, if the party be once acquitted, or in peril of judgment of life lawfully, he shall never be brought in question again, for the same fact.

In felony, the prosecution may be either at the king's suit, or by way of appeal; the defendant shall have his course, and produce witnesses upon oath, as in civil causes.

In felony, the king may grant hault justice to a subject, with the regality of power to pardon it.

In felony, the trial of peers is all one as in case of treason.

In felony, the proceedings are in the King's Bench, or before commissioners of Oyer and Terminer, or of jail delivery, and in some cases before justices of the peace.

CHAP. IX.

Cases of Felony de se, with the Punishment, Trial, and Proceedings.

IN the civil law, and other laws, they make a difference of cases of felony *de se*; for where a man is called in question upon any capital crime, and killeth himself to prevent the law, there they give the judgment in all points of forfeiture, as if they had been attainted in their life-time: And, on the other side, where a man killeth himself upon

impatience of sickness, or the like, they do not punish it at all; but the law of England taketh it all in one degree, and punisheth only with loss of goods, to be forfeited to the king, who generally grants them to his almoner, where they be not formerly granted unto special liberties.

CHAP. X.

Cases of Præmunire.

WHERE a man purchaseth or accepteth any provision, that is, collation of any spiritual benefice or living, from the see of Rome, it is *præmunire*.

Where a man shall purchase any process to draw any people off the king's allegiance out of the realm, in plea whereof the cognisance pertains to the king's court, and cometh not in person to answer his contempt in that behalf before the king and his council, or in his chancery, it is *præmunire*.

Where a man doth sue in any court which is not the king's court, to defeat or impeach any judgment given in the king's court, and doth not appear to answer his contempt, it is *præmunire*.

Where a man doth purchase or pursue in the court of Rome, or elsewhere, any process, sentence of excommunication, bull, or instrument, or other thing which toucheth the king in his regality, or his realm in prejudice, it is *præmunire*.

Where a man doth affirm or maintain any foreign kind of jurisdiction spiritual, or doth put in use or execution any thing for the advancement or setting forth thereof; such offence the second time committed is *præmunire*.

Where a man refuseth to take the oath of supremacy, being tendered by the bishop of the diocese, if he be an ecclesiastical person; or by a commission out of the chancery, if he be a temporal person, it is *præmunire*.

Where a dean and chapter of any church, upon the *conge d'elire* of an archbishop or bishop, doth refuse to elect any such archbishop or bishop, as is nominated unto them in the king's letters missive, it is *præmunire*.

Where a man doth contribute or give relief to any jesuit or seminary priest, or to any person brought up therein, and called home, and not returning, it is case of *præmunire*.

Where a man is a broker of an usurious contract above ten in the hundred, it is *præmunire*.

CHAP. XI.

The Punishment, Trial, and Proceedings in Cases of Præmunire.

THE punishment is by imprisonment during life, forfeiture of goods,

forfeiture of lands in fee-simple, and forfeiture of the profits of lands intailed, or for life.

The trial and proceeding is as in cases of misprision of treason, and the trial is by peers, where a peer of the realm is the offender.

Striking any man, in the face of the king's courts, is forfeiture of lands, perpetual imprisonment, and loss of that hand.

CHAP. XII.

Cases of Abjuration and Exile, and the Proceedings therein.

Where a man committeth any felony, for the which at this day he may have privilege of sanctuary, and confesseth the felony before the coroner, he shall abjure the liberty of the realm, and chuse his sanctuary; and if he commit any new offence, or leave his sanctuary, he shall lose the privilege thereof, and suffer as if he had not taken sanctuary.

Where a man, not coming to the church, and being a popish recusant, doth persuade any the king's subjects to impugn his Majesty's authority in causes ecclesiastical, or shall persuade any subject to come to any unlawful conventicles, and shall not after conform himself within a time, and make his submission, he shall abjure the realm, and forfeit his goods and lands during life; and, if he depart not within the time prefixed, or return, he shall be in the degree of a felon.

Where a man, being a popish recusant, and not having lands to the value of twenty marks per annum, nor goods to the value of forty pounds, shall not repair to his dwelling or place where he was born, and there confine himself within the compass of five miles, he shall abjure the realm; and, if he return, he shall be in the case of a felon.

Where a man kills the king's deer in chaces or forests, and can find no sureties after a year's imprisonment, he shall abjure the realm.

Where a man is a trespasser in parks, or in ponds of fish, and after three years imprisonment cannot find sureties, he shall abjure the realm.

Where a man is a ravisher of any child, whose marriage belongs to any person, and marrieth the said child after years of consent, and is not able to satisfy for the marriage, he shall abjure the realm.

CHAP. XIII.

Cases of Heresy, and the Trial and Proceedings therein.

THE declaration of heresy, and likewise the proceedings and judgment upon hereticks, is by the common laws of this realm referred to the jurisdiction ecclesiastical, and the secular arm is reached to them by the common laws, and not by any statute for the execution of them by the king's writ *de haretico comburendo*.

 CHAP. XIV.
The King's Prerogative in Parliament.

THE king hath an absolute negative voice to all bills that pass the parliament, so as, without his royal assent, they have a mere nullity, and not so much as *authoritas præscripta*, or *senatus consulta* had, notwithstanding the intercession of tribunes.

The king may summon parliaments, dissolve them, prorogue them, and adjourn them, at his pleasure.

The king may add voices in the parliament at his pleasure, for he may give privilege to borough towns as many as he will, and may likewise call and create barons, at his pleasure.

No man can sit in parliament, except he take the oath of allegiance.

 CHAP. XV.
The King's Prerogative in Matters of War or Peace.

THE king hath power to declare and proclaim war, and to make and conclude peace, and truce, at his pleasure.

The king hath power to make leagues and confederacies with foreign states, more strait and less strait, and to revoke and disannul them at his pleasure.

The king hath power to command the bodies of his subjects for the service of his wars, and to muster, train, and levy men, and to transport them by sea or land, at his pleasure.

The king hath power, in time of war, to execute martial law, and to appoint all officers of war, at his pleasure.

The king hath power to grant his letters of mart and reprisal for remedy to his subjects upon foreign wrongs, at his pleasure.

The king hath power to declare laws by his letters patents for the government of any place conquered by his arms, at his pleasure.

The king may give knighthood, and thereby enable any subject to perform knight's service, at his pleasure.

 CHAP. XVI.
The King's Prerogative in Matters of Money.

THE king may alter his standard, in baseness or fineness of his coin, at his pleasure.

The king may alter his stamp in form, at his pleasure.

The king may alter the valuations of his coin, and raise and fall monies, at his pleasure.

The king, by his proclamation, may make monies of his own current, or not current, at his pleasure.

The king may take or refuse the subjects bullion and coin, more or less money.

The king, by his proclamation, may make foreign money current, or not current.

CHAP. XVII.

The King's Prerogative in Matters of Trade and Traffick.

THE king may constrain the person of any of his subjects not to go out of the realm at all.

The king may restrain any of his subjects to go out of the realm into any special part foreign.

The king may forbid the exportation of any commodity out of the realm.

The King may forbid the importation of any commodities into the realm.

The king may set a reasonable impost upon any foreign wares, that come into the realm, and so of native wares, that go out of the realm.

CHAP. XVIII.

The King's Prerogative in the Persons of his Subjects.

THE king may create any corporation or body politick, and enable them to purchase, and grant, and to sue, and be sued, and that with such restrictions and modifications as he pleases.

The king may denizen and enable any foreigner for him and his descendants after the charter, though he cannot naturalise nor enable him to make pedigree from ancestors paramount.

The king may enable any attainted person, by his charter of pardon, to purchase and to purge his blood for the time to come, though he cannot restore his blood for the time past.

The king may enable any dead person in law, as men professed, to take and purchase to the king's benefit.

CHAP. XIX.

An Answer to the Question proposed by Sir Alexander Hay, Knight, touching the Office of Constables.

1. TO the first, of the original of the authority of constables, it may be said, *Caput inter nubila condit*, for the authority was granted upon

the ancient laws and customs of this kingdom, practised long before the conquest, and intended and instituted for the conservation of the peace, and repressing of all manner of disturbance, and hurt of the people, and that as well by way of prevention as punishment; but yet so, as they have no judicial power, to hear and determine any cause, but only a ministerial power, as in the answer of the seventh article more at large is set down.

As for the office of the high constable, the original of that is yet more obscure; for though the high constable's authority hath the more ample circuit, he being over the hundred, and the petty constable over the village; yet, I do not find, that the petty constable is subordinate to the high constable, or to be ordered or commanded by him; and therefore, I doubt, the high constable was not *ab origine*, but that when the business of the country increased, the authority of the justices of peace was enlarged by divers statutes; then, for conveniency sake, the office of high constables grew in use for the receiving of the commands and precepts from the justices of peace, and distributing them to the petty constables; and, in token of this, the election of high constable, in most parts of the kingdom, is by the appointment of the justices of peace, whereas the election of the petty constable is by the people.

But there be two things unto which the office of constable hath special reference, and which, of necessity, or, at least, a kind of congruity, must precede the jurisdiction of that office, either the things themselves, or somewhat that hath a similitude or analogy towards them.

1. The one is the division of the territory, or gross of the shires, into hundreds, villages, and towns; for the high constable is officer over the hundred, and the petty constable is over the town or village.

2. The other is the Court-Leet, unto which the constable is a proper attendant and minister; for there the constables are chosen by the jury, there they are sworn, and there that part of their office, which concerneth information, is principally to be performed; for the jury is to present offences, and the offenders are chiefly to take light from the constables, of all matters of disturbance and nuisance of the people, which they, in respect of their office, are presumed to have best and most particular knowledge of.

CHAP. XX.

Three Ends of the Institution of the Court-Leet.

1. THE first end of the institution of the court-leet, is, To take the oath of allegiance of all males above the age of twelve years.

2. The second, To enquire of all offences against the peace: and, for those that are against the crown and peace both, to enquire of only, and certify to the justices of gaol-delivery; but those, that are against the peace simply, they are to enquire and punish.

3. The third is, To enquire of, punish, and remove all publick nuisances, and grievances, concerning infection of air, corruption of victuals, ease of chaffer, and contract of all other things, that may hurt or grieve the people in general, in their health, quiet, and welfare.

And to these three ends, as matters of policy subordinate, the court-leet hath power to call upon the pledges that are to be taken for the good behaviour of the residents, that are not tenants, and to enquire of all defaults of officers, as constables, ale-tasters, &c. and for choice of constables, as aforesaid.

The jurisdiction of these leets is ever remaining in the king, and, in that case, exercised by the sheriff in his turn, which is the grand leet, granted over to subjects; but, yet, it is still the king's court.

2. To the second, as was said, the election of the petty constable is at the court-leet by the inquest that makes the presentments; the election of the head constables is by the justices of the peace at their quarter sessions.

3. To the third, the office is annual, except they be removed.

4. To the fourth, they be men, as it is now used, of inferior, yea, of base condition, which is a mere abuse, or degenerating, from the first institution; for the petty constables in towns ought to be of the better sort of residents in the said towns, save, that they ought not to be aged, or sickly, but men of able bodies, in respect of the keeping watch, and toil of their place, neither ought they to be in any man's livery: and the high constables ought to be of the ablest sort of freeholders, and of the substantiallest sort of yeomen, next to the degree of gentlemen; but they ought to be such as are not incumbered with any other office, as mayor, under-sheriff, bailiff, &c.

5. To the fifth, they have no allowance, but are bound by duty to perform their offices, *gratis*; which may the rather be endured, because it is but annual, and they are not tied to keep or maintain any servants or underministers, for that every one of the king's people are bound to assist them.

6. To the sixth, upon complaint made, of his refusal, to any one justice of peace, the said justice shall bind him over to the sessions; where, if he cannot excuse himself by some just allegation, he may be fined and imprisoned for his contempt.

7. To the seventh, the authority of constables, as it is substantive, and of itself, or substituted, and astricted to the warrants and commands of the justices of peace; so again it is original, or additional; for, either it was given to them by the common law, or else annexed by divers statutes. And, as for subordinate power, wherein the constable is only to execute the commandments of the justices of peace, and likewise the additional power which is given by divers statutes, it is hard to comprehend them in any brevity; for that they do correspond to the office and authority of the justices of peace, which is very large, and are created by the branches of several statutes, which are things of divers and dispersed natures: But, for the original and substantive power of a constable, it may be reduced to three heads:

1. For matter of peace only.

2. For matter of peace and the crown.

3. For matter of nuisance, disturbance, and disorder, although they be not accompanied with violence and breach of peace.

For pacifying of quarrels begun, the constables may, upon hot words given, or likelihood of breach of peace to ensue, command them, in the king's name, to keep the peace, and depart, and forbear: and so he may, where an assault is made, part the same, and keep the parties asunder, and arrest and commit the breakers of the peace, if they will not obey, and call power to assist him for the same purpose.

For punishment of breach of peace past, the law is very sparing in giving any authority to constables, because he hath no power judicial, and the use of his office is rather for preventing, or staying of mischief, than for punishing of offences; for, in that part, he is rather to execute the warrants of the justices, or, when sudden matter ariseth upon his view, or notorious circumstances, to apprehend offenders, and carry them before the justice of peace, and generally to imprison, in like cases of necessity, where the case will not endure the present carrying before the justices. And thus much for the matters of peace.

For matters of the crown, the office of the constable consisteth chiefly in four parts:

1. The First is Arrest.
2. The Second is Search.
3. The third is Hue and Cry.
4. And the fourth is Seizure of goods.

All which the constable may perform of his own authority, without any warrant from a justice of peace.

1. For first, if any man will lay murder or felony to another's charge, or do suspect him of murder or felony, he may declare it to the constable, and the constable ought, upon such declaration or complaint, carry him before a justice; and if, by common voice or fame, any man be suspected, the constable of duty ought to arrest him, and bring him before a justice, though there be no other accusation.

2. If any house be suspected for the receiving or harbouring of any felon, the constable, upon complaint, or common fame, may search.

3. If any fly upon the felony, the constable ought to raise hue and cry, and search his goods, and keep them safe without impairing, and to inventory them in the presence of honest neighbours.

4. For matters of common nuisance and grievances, they are of a very variable nature, according to the several comforts which man's life and society require, and the contraries which infest the same.

In all which, be it matter of corrupting air, water, or victuals, or stopping, straightening, or endangering passage, or general deceits in weights, measures, sizes, or counterfeiting wares, and things vendible; the office of the constable is, to give, as much as in him lies, information of them, and of the offenders in leets, that they may be presented. But, because leets are kept but twice in the year, and many of these things require present or speedy remedy, the constable, in things of a notorious and vulgar nature, ought to forbid and repress them in the mean time.

8. To the eighth, they are, for their contempt, to be fined and imprisoned by the justices in their sessions.

9. To the ninth : the oath they take is in this manner :

‘ You shall swear, that you shall well and truly serve the king, and the Lord of this law-day ; and you shall cause the peace of our Lord, the king, to be well and duly kept, to your power : and you shall arrest all those that you see committing riots, debates, and affrays in breach of peace : and you shall well and duly endeavour yourself to your best knowledge, that the statutes of Winchester for watch, hue and cry, and the statutes made for the punishment of sturdy beggars, vagabonds, rogues, and other idle persons, coming within your office, be truly executed, and the offenders punished : and you shall endeavour, upon complaint made, to apprehend barreters and riotous persons, making frays, and likewise to apprehend felons ; and if any of them make resistance with force and multitude of mis-doers, you shall make outcry, and pursue them, till they be taken ; and shall look unto such persons as use unlawful games ; and you shall have regard unto the maintenance of artillery ; and you shall well and duly execute all process and precepts sent unto you from the justices of peace of the county ; and you shall make good and faithful presentments of all blood-sheds, out-cries, affrays, and rescues made within your office ; and you shall well and duly, according to your power and knowledge, do that which belongeth to your office of constable, to do for this year to come.’ So help, &c.

10. To the tenth, the authority is the same in substance, differing only in extent ; the petty constable serving only for one town, parish, or borough ; the head constable serving for the whole hundred ; neither is the petty constable subordinate to the head constable, for any commandment that proceeds from his own authority ; but it is used, that the precepts of the justices be delivered unto the high constables, who, being few in number, may better attend the justices, and then the head constables, by vertue thereof, make their precepts over to the petty constables.

11. To the eleventh, in case of necessity he may appoint a deputy, or in default thereof, the steward of the court-leet may ; which deputy ought to be sworn.

Now to conclude, the office of constables consists wholly in these three things, viz.

- Their office concerning, 1. The conservation of the peace.
 2. The serving the precepts and warrants of the justices.
 3. Their attendance for the execution of statutes.

CHAP. XXI.

Of the Jurisdiction of Justices itinerantes in the Principality of Wales.

THESE justices have power to hear and determine all criminal causes, which are called in the laws of England, the pleas of the crown; and herein they have the same jurisdiction, that the justices have in his majesty's bench, commonly called the king's bench.

They have jurisdiction to hear and determine all civil causes, which are called, in the laws of England, common-pleas; and do take knowledge of all fines, levied of lands or hereditaments, without string out any *dedimus potestatem*; and herein they have the same jurisdiction that the justices of the common-pleas do execute at Westminster.

Also they may hear and determine all assizes upon disseizins of lands or hereditaments, wherein they equal the jurisdiction of the justices of assize.

Justices of Oyer and Terminer may hear and determine all notable violences and outrages perpetrated or done, within their several precincts of the principality of Wales.

* The prothonotary's office is to draw all pleadings, and to enter and ingross all records and judgments in civil causes.

* The clerk of the crown's office is to ingross all proceedings, arraignments, and judgments in criminal causes.

† The marshal, whose office is to attend the persons of the judges at their coming, sitting, and going from the sessions or court.

† The crier, he is *tanquam publicus Præco*, to call forth such persons, whose appearances are necessary, and to impose silence to the people.

There is a commission under the great seal of England, to certain gentlemen, giving them power to preserve the peace, and to resist and punish all turbulent persons, whose misdemeanors may tend to the disquiet of the people; and these be called, the justices of peace, and every of them may well and truly be called and termed *Eirenarcha*.

The chief of them is called *Custos Rotulorum*, in whose custody all the records of their proceedings are resident.

Others there are of that number, called justices of peace and *Quorum*; because in their commission, they have power to sit and determine causes, concerning breach of peace, and misbehaviour; the words of their commission are conceived thus, *Quorum* such and such, *unum vel duos &c. esse volumus*; and without some one, or more, of them of the *Quorum*, no sessions can be holden; and for the avoiding of a superfluous number of such justices (for through the ambition of many, it is counted a credit, to be burthened with that authority) the statute of 38 Henry VIII. hath expressly prohibited that there shall be but eight

* In the King's Gift. † In the disposing of the Judge.

justices of peace * in every county. These justices do hold their sessions quarterly.

In every shire, where the commission of the peace is established, there is a clerk of the peace, for the entering and ingrossing of all proceedings before the said justices. And this officer is appointed by the *Custos Rotulorum*.

Every shire hath its sheriff, which word, being of the Saxon English, is as much to say, as shire reeve, or minister of the county: his function or office is two fold:

1. Ministerial.
2. Judicial.

As touching his ministerial office, he is the minister and executioner of all the process and precepts of the courts of law, and thereof ought to make return and certificate.

As touching his judicial office, he hath authority to hold two several courts of distinct natures: the one called the *tourne*, because he keepeth his turn and circuit about the shire, and holdeth the same court in several places, wherein he doth inquire of all offences perpetrated against the common law, and not forbidden by any statute or act of parliament; and the jurisdiction of this court is derived from justice distributive, and is for criminal offences, and is held twice every year.

The other is called the county court, wherein he doth determine all petty and small causes civil, under forty shillings, arising within the said county, and therefore it is called the county court.

The jurisdiction of this court is derived from justice commutative, and is held every month: the office of the sheriff is annual, and in the king's gift, whereof he is to have a patent.

Every shire hath an officer, called an *Escheator*, which is an office to attend the king's revenue, and to seize into his majesty's hands all lands, either escheated goods, or lands forfeited, and therefore is called *Escheator*; and he is to inquire by good inquest of the death of the king's tenants, and to whom their lands are descended, and to seize their bodies and lands for ward, if they be within age, and is accountable for the same; and this officer is named by the lord treasurer of England.

There are in every shire two other officers, called crownors or coroners; they are to enquire by inquest, in what manner, and by whom every person dieth of a violent death, and to enter the same of record; which is a matter criminal, and a plea of the crown, and therefore they are called coroners, or crownors, as one hath written, because their inquiry ought to be publick in *Corona populi*.

These officers are chosen by the freeholders of the shire, by vertue of a writ out of the chancery, *De Coronatore eligendo*; and of them I need not to speak more, because these officers are in use elsewhere.

Forasmuch as every shire is divided into hundreds, it is also by the said statute of 34 Henry VIII. Cap. 26. ordered, that two sufficient gentlemen, or yeomen, shall be appointed constables of every hundred.

Also there is, in every shire, one jail or prison, appointed for the

* These Justices are appointed by the Lord Keeper.

restraint of liberty of such persons as for their offences are thereunto committed, until they shall be delivered by course of law.

In every hundred of every shire, the sheriff thereof shall nominate sufficient persons to be bailiffs of that hundred, and underministers of the sheriff; and they are to attend upon the justices in every of their courts and sessions.

THE

SPEECH OF THE LORD DIGBY,

IN THE

High Court of Parliament,

CONCERNING GRIEVANCES.

Printed for Thomas Walkely, 1641. Quarto, containing twelve pages.

Mr. Speaker,

YOU have received now a solemn account from the most of the shires of England, of the several grievances and oppressions they sustain, and nothing as yet from Dorsetshire. Sir, I would not have you think that I serve for a land of Goshen, that we live there in sunshine, whilst darkness and plagues overspread the rest of the land: As little would I have you think, that, being under the same sharp measure that the rest, we are either insensible and benumbed, or that that shire wanteth a servant to represent its sufferings boldly.

It is true, Mr. Speaker, the county of Dorset hath not digested its complaints into that formal way of petition, which others, I see, have done; but have intrusted them to my partners and my delivery of them, by word of mouth, unto this honourable house. And there was given unto us, in the county court, the day of our election, a short memorial of the heads of them, which was read in the hearing of the freeholders there present, who all unanimously with one voice signified upon each particular, that it was their desire that we should represent them to the parliament, which, with your leave, I shall do. And these they are:

1. The great and intolerable burthen of ship-money, touching the legality whereof they are unsatisfied.
2. The many great abuses in pressing of soldiers, and raising monies concerning the same.
3. The multitude of monopolies.

4. The new canon, and the oath to be taken by lawyers, divines, &c.

5. The oath required to be taken by church officers to present, according to articles new and unusual.

Besides this, there was likewise presented to us, by a very considerable part of the clergy of that county, a note of remembrance, containing these two particulars :

First, The imposition of a new oath required to be taken by all ministers, and others, which they conceive to be illegal, and such as they cannot take with a good conscience.

Secondly, The requiring of a pretended benevolence, but, in effect, a subsidy, under the penalty of suspension, excommunication, and deprivation, all benefit of appeal excluded.

This is all we had particularly in charge : But, that I may not appear a remiss servant of my country, and of this house, give me leave to add somewhat of my own sense.

Truly, Mr. Speaker, the injurious sufferings of some worthy members of this house, since the dissolution of the two last parliaments, are so fresh in my memory, that I was resolved not to open my mouth in any business wherein freedom and plain dealing were requisite, until such time as the breach of our privileges were vindicated, and the safety of speech settled.

But since such excellent members of our house thought fit the other day to lay aside that caution, and to discharge their souls so freely in the way of zeal to his majesty's service, and their country's good : I shall interpret that confidence of theirs for a lucky omen to this parliament, and, with your permission, license my thoughts too, a little.

Mr. Speaker, under those heads which I proposed to you, as the grievances of Dorsetshire, I suppose are comprised the greatest part of the mischiefs which have, of late years, laid battery either to our estates or consciences.

Sir, I do not conceive this the fit season to search and ventilate particulars, yet, I professe, I cannot forbear to add somewhat to what was said the last day by a learned gentleman of the long robe, concerning the acts of that reverend new synod, made of an old convocation. Doth not every parliament-man's heart rise to see the prelates thus usurp to themselves the grand pre-eminence of parliament ? The granting of subsidies, and that under so preposterous a name as of a benevolence, for that which is a malevolence indeed ; a malevolence, I am confident, in those that granted it, against parliaments ; and a malevolence surely in those that refuse it, against those that granted it ; for how can it incite less ? When they see wrested from them what they are not willing to part with, under no less a penalty than the loss both of heaven and earth ; of heaven, by excommunication ; and of the earth, by deprivation ; and this without redemption by appeal. What good Christian can think with patience on such an insnaring oath, as

that which is, by the new canons, enjoined to be taken by all ministers, lawyers, physicians, and graduates in the universities? Where, besides the swearing such an impertinence, as that things necessary to salvation are contained in discipline; besides the swearing those to be of divine right, which, amongst the learned, never pretended to it, as the arch things in our hierarchy. Besides, the swearing not to consent to the change of that, which the state may, upon great reason, think fit to alter; besides the bottomless perjury of an &c. Besides all this, Mr. Speaker, men must swear that they swear freely and voluntarily what they are compelled unto; and, lastly, that they swear that oath in the literal sense, whereof no two of the makers themselves, that I have heard of, could ever agree in the understanding.

In a word, Mr. Speaker, to tell you my opinion of this oath, it is a covenant against the king, for bishops and the hierarchy, as the Scottish covenant is against them; only so much worse than the Scottish, as they admit not of the supremacy in ecclesiastical affairs, and we are sworn unto it.

Now, Mr. Speaker, for those particular heads of grievances whereby our estates and properties are so radically invaded; I suppose, as I said before, that it is no season now to enter into a strict discussion of them; only thus much I shall say of them, with application to the country for which I serve, that none can more justly complain, since none can more justly challenge exemption from such burthens than Dorsetshire; whether you consider it is a country subsisting much by trade, or as none of the most populous; or as exposed as much as any to foreign invasion.

But, alas! Mr. Speaker, particular lamentations are hardly distinguishable in universal groans.

Mr. Speaker, it hath been a metaphor frequent in parliament, and, if my memory fail me not, was made use of in the lord keeper's speech at the opening of the last, that what money kings raised from their subjects, they were but as vapours drawn up from the earth by the sun, to be distilled upon it again in fructifying showers. The comparison, Mr. Speaker, hath held of late years in this kingdom too unluckily: what hath been raised from the subject by those violent attractions, hath been formed, it is true, into clouds, but how? To darken the sun's own lustre, and hath fallen again upon the land only in hailstones and mildews, to batter and prostrate still more and more our liberties, to blast and wither our affections; had not the latter of these been still kept alive by our king's own personal virtues, which will ever preserve him, in spite of ill counsellors, a sacred object both of our admiration and loves.

Mr. Speaker, it hath been often said in this house, and, I think, can never be too often repeated, that the kings of England can do no wrong: But, though they could, Mr. Speaker, yet princes have no part in the ill of those actions which their judges assure them to be just, their counsellors that they are prudent, and their divines that they are conscientious.

This consideration, Mr. Speaker, leadeth me to that which is more necessary far, at this season, than any farther laying open of our

miseries, that is, the way to the remedy, by seeking to remove from our sovereign such unjust judges, such pernicious counsellors, and such disconscient divines, as have of late years, by their wicked practices, provoked aspersions upon the government of the graciousest and best of kings.

Mr. Speaker, let me not be misunderstood ; I level at no man with a forelaid design ; let the faults, and those well proved, lead us to the men : It is the only true parliamentary method, and the only fit one to incline our sovereign. For it can no more consist with a gracious and righteous prince to expose his servants upon irregular prejudices, than with a wise prince to with-hold malefactors, how great soever, from the course of orderly justice.

Let me acquaint you, Mr. Speaker, with an aphorism in Hippocrates, no less authentick, I think, in the body politick, than in the natural. This is it, Mr. Speaker, bodies, to be thoroughly and effectually purged, must have their humours first made fluid and moveable.

The humours, that I understand to have caused all the desperate maladies of this nation, are the ill ministers. To purge them away clearly, they must be first loosened, unsettled, and extenuated, which can no way be effected with a gracious master, but by truly representing them unworthy of his protection. And this leadeth me to my motion, which is, that a select committee may be appointed to draw out all that hath been here represented ; such a remonstrance as may be a faithful and lively representation unto his majesty of the deplorable estate of this his kingdom, and such as may happily point out unto his clear and excellent judgment the pernicious authors of it. And that, this remonstrance being drawn, we may, with all speed, repair to the lords, and desire them to join with us in it. And this is my humble motion.

THE

JUDGES' JUDGMENT;

A Speech penned in the beginning of the Parliament against the Judges.

PER IGNOTUM QUENDAM.

Printed for John Ashton, 1641. Quarto, containing twelve pages.

Mr. Speaker,

IT was a custom amongst the Romans (who, as by their power they once gave laws, so, by the happy success of their long flourishing government, might they well give examples to all the world) that in their senates the youngest men spoke first : partly, that they might

not have their weaker notions anticipated by the more knowing senators; and partly, for that the senate might not be diverted from the mature resolutions of the more antient, by the interpositions of the younger men; they, as all free states, ever allowing free members to express themselves, according to their several capacities: and methinks it was a happy method. So your opinions and inclinations of the assembly being discovered and ripened to resolution by such gradations, the sentences of the sages sounded as judgments, not orations; their wisdom and gravity put a seasonable period to others, perhaps otherwise endless discourses.

Their precedent encourages me (who worst may) to break the ice. Children can lay their fingers on the sore, point out their pain; and infant graduates in parliament may groan out the grievances of a diseased commonwealth; but they must be doctors in the art of government, that can apply apt remedies to recover it.

Mr. Speaker, antient and approved hath been that parallel of the body politick with the body natural: It is the part of the patients in either distempered, to impart freely their griefs to the physicians of the body or state, if they expect a cure.

This commonwealth is, or should be, but one body: This house the great physician of all our maladies; and, alas, Mr. Speaker, of what afflicted part shall we poor patients complain first? Or rather, of what shall we not complain?

Are we not heart-sick? Is there in us that which God requires, unity, purity, and singularity of heart? Nay, is not religion (the soul of this body) so miserably distracted, that, I speak it with terror of heart, it is to be feared, there is more confusion of religions amongst us, than there was of tongues at the subversion of Babel: And is it not then high time that we understand one another, that we were reduced to one faith, one government?

Sir, is the head whole: The seat of government and justice, the fountain from whose sweet influence all the inferior members of this body should receive both vigour and motion: Nay, hath not rather a general apoplexy, or palsy, taken, or shaken, all our members? Are not some dead? Others buried quick? Some dismembered, all disordered, by the diversion of the course of justice?

Is the liver (nature's exchequer) open; from whose free distribution each limb may receive its proper nutriment, or rather is it not wholly obstructed? Our property taken from us? So that it may properly be said of us, *Sic vos non vobis fertis aratra*; our ancestors drank the juice of their own vines, reaped and eat the fruit of their own harvest. But now the poor man's plough goes to furrow the seas, to build ships: We labour not for ourselves, but to feed excrescences of nature, things grown up out of the ruins of the natural members, monopolists.

Sir, these are *maxime vitalia*; religion, justice, property: The heart, the head, the liver, of this great body; and these distempered or obstructed, can the subordinate parts be free? No, sir, the truth is, all is so far out of frame, that to lay open every particular grievance

were to drive us into despair of cure : In so great confusion, where to begin first, requires not much less care than what to apply.

Mr. Speaker, I know it is a plausible motion to begin with setting God's house in order first : Who presses that, moves with such advantage, that he is sure no man will gain-say him. It is a well-becoming zeal, to prefer religion before our own affairs ; and indeed it is a duty not to be omitted, where they are in equal danger : But, in cure of the body politick or natural, we must still prefer the most pressing exigents.

Physicians know that consumptions, dropsies, and such-like lingering diseases, are more mortal, more difficult to cure, than slight external wounds : Yet, if the least vein be cut, they must neglect their greater cures to stop that, which, if neglected, must needs exhaust the stock of nature, and produce a dissolution of the whole man.

A defection from the duties of our religion is a consumption to any state ; no foundation is firm that is not laid in Christ.

The denial of justice, the abridgment of our liberties, is such an obstruction as renders the commonwealth leprous ; but the wounds in our property let out the life-blood of the people.

The reformation of church-government must necessarily be a work of much time, and, God be thanked, the disease is not desperate : ' We serve one God, we believe in one Christ, and we all acknowledge and profess one Gospel.' The difference is only *de modo*, we vary but in ceremonies ; to reduce which to the primitive practice, must be a work of great debate, is not a work for us alone to settle.

The stop of justice can yet injure but particulars. It is true, there may be many, too many instances of strange oppressions, great oppressors ; but it will be hard to judge the conclusion. *Et sic de cæteris.*

But, take from us the property of our estates, our subsistence, we are no more a people ; this is that vein, which hath been so deep cut, so far exhausted, that to preserve our being, we must, doubtless, first stop this current ; then settle rules to live by, when we are sure to live.

Mr. Speaker, he, that well weighs this little word, property, or propriety in our estates, will find it of a large extent ; the leeches, that have sucked this blood, have been excise, benevolences, loans, impositions, monopolies, military taxes, ship-money, *cum multis aliis* : all which spring from one root.

And is it not high time to grub up that root, that brings forth such fruit ? shall we first stand to lop the branches one by one, when we may down with all at once ? he, that, to correct an evil tree, that brings forth bad fruit, shall begin at the master-bough, and so lop downwards, is in danger to fall himself, before the tree falls. The safer and speedier way is to begin at the root ; and there, with submission to better judgments, would I lay to the axe.

The root of most of our present mischiefs, and the ruin of all posterity, do I hold to be that extrajudicial (judgment I cannot say, but rather) doom, delivered by all the judges, under their hands out of court, yet recorded in all courts, to the subversion of all our fundamental laws and liberties, and annihilation, if not confiscation of our estates : that, in case of danger, the king may impose upon his subjects,

and that he is the sole judge of the danger, necessity, and proportion ; which, in brief, is to take what, when, and where he will : Which, though delivered in the time of a gracious and merciful prince, who, we hope, will not wrest it beyond our abilities, yet, left to the interpretation of a succeeding tyrant, if ever this nation be so unfortunate to fall into the hands of such, it is a record, wherein every man may read himself a slave, that reads it, having nothing he can call his own, all prostitute to the will of another.

What to do in such a case we are not to seek for precedents ; our honourable ancestors taught us, in the just and exemplary punishments of Chief Justice Tresilian and his accomplices (for giving their judgments, out of parliament, against the established laws of parliament, how tender they were of us, how careful we ought to be to continue those laws, to preserve the liberty of our posterity.

I am far from maligning the person, nor in my heart wish I the execution of any man ; but, certainly, it shall be a justice well becoming this house, to lay their heads at his majesty's mercy, who had laid us under his feet, who had made us but tenants at will of our liberties and estates.

And, though I cannot but approve of mercy, as a great virtue in any prince, yet I heartily pray it may prove a precedent as safe and useful to this oppressed state, as that of justice.

Mr. Speaker, blasted may that tongue be, that shall in the least degree derogate from the glory of those halcyon days, our fathers enjoyed, during the government of that ever-blessed, never-to-be-forgot royal Elisabeth ! But certainly I may safely say, without detraction, it was much advantage to the peace and prosperity of her reign, that the great examples of Empson and Dudley were then fresh in memory. The civility of our laws tells us, That kings *can* do no wrong ; and then is the state secure, when judges, their ministers, *dare* do none. Since our times have found the want of such examples, it is fit we should leave some to posterity. God forbid, that all should be thought, or found guilty ! There are, doubtless, some ring-leaders ; let us sift them out. In publick government, to pass by the nocent is equal injustice, as to punish the innocent. An omission of that duty, now, will be a guilt in us, render us shamed in history, cursed by posterity ; our gracious and, in that act of voluntary justice, most glorious king hath given up, to the satisfaction of his afflicted people, the authors of their ruins ; the power of future preservation is now in us ; *et qui non servat patriam, cum potest, idem facit destruenti patriam.*

What though we cannot restore the damage of the commonwealth, we may yet repair the breaches in the bounds of monarchy ; though it be with our loss and charge, we shall so leave our children's children fenced, as with a wall of safety, by the restoration of our laws to their ancient vigour and lustre.

It is too true, that it is to be feared the revenues of the crown, sold out-right, would scarce remunerate the injuries, or repay the losses of this suffering nation since the pronouncing of that fatal sentence. What proportionable satisfaction, then, can this commonwealth receive in the punishment of a few inconsiderable delinquents ? But it is a rule valid

in law, approved in equity, that, *Qui non habent in crumena, luant in corpore*; and it is without all question, in policy, exemplary punishments conduce more to the state, than pecuniary reparations; hope of impunity lulls every bad great officer into security, for his time; and, who would not venture to raise a fortune, when the allurements of honour and wealth are so prevalent, if the worst that can befall, be but restitution?

We see the bad effects of this bold erroneous opinion; what was at first but corrupt law, by encouragement taken from their impunity, is since become false doctrine; the people taught in pulpits, they have no property; kings instructed in that destructive principle, that all is their's; and it is thence deduced into necessary state-policy, whispered in council, that he is no monarch who is bounded by any law.

By which bad consequences, the best of kings hath been, by the infusion of such poisonous positions, diverted from the sweet inclinations of his own natural equity and justice; the very essence of a king taken from him, which is the preservation of his people; and, whereas *salus populi* is, or should be *suprema lex*, the power of undoing us is masqued under the stile of what should be sacred royal prerogative.

And is it not high time for us to make examples of the first authors of this subverted law, bad counsel, worse doctrine?

Let no man think to divert us from the pursuit of justice, by poisoning the clear streams of our affections with jealous fears of his majesty's interruption, if we look too high. Shall we therefore doubt of justice, because we have need of great justice? We may be confident, the king well knows, That his justice is the band of our allegiance; that it is the staff, the proof of his sovereignty?

It is an happy assurance of his intentions of grace to us, that our loyalty hath at last won him to tender the safety of his people; and certainly (all our pressures well weighed, these twelve years last past) it will be found, the passive loyalty of this suffering nation hath outdone the active duty of all times and stories: As the poet hath it,

Fortiter ille facit, qui miser esse potest.

I may as properly say, *fideliter fecimus*, we have done loyally to suffer so patiently.

Then, since our royal lord hath in mercy visited us, let us not doubt, but, in his justice, he will redeem his people. *Qui timide rogat, docet negare*. But, when religion is innovated, our liberties violated, our fundamental laws abrogated, our modern laws already obsoleted, the property of our estates alienated, nothing left us, we can call our own, but our misery and our patience; if ever any nation might justifiably, this certainly may now, now most properly, most seasonably cry out, and cry loud, *Vel sacra regnet justitia, vel ruat calum*.

Mr. Speaker, the sum of my humble motion is, That a special committee may be appointed to examine the whole carriage of that extra-judicial judgment; who were the counsellors, sollicitors, and subscribers to the same; the reasons of their subscription; whether according to their opinions, by importunity, or pressure of others, whether *pro forma tantum*; and, upon report thereof, to draw up a charge against the guilty; and then, *Currat lex, fiat justitia*.

MR. JOHN MILTON'S
CHARACTER OF THE LONG PARLIAMENT
AND ASSEMBLY OF DIVINES,

In 1641.

*Omitted in his other Works, and never before printed, and very seasonable
for these Times.*

London, printed for Henry Brome, at the Gun at the West end of St. Paul's,
1661. Quarto, containing sixteen Pages.

TO THE READER.

THE reader may take notice, that this character of Mr. Milton's was a part of his History of Britain, and by him designed to be printed: but, out of tenderness to a party [whom neither this nor much more lenity has had the luck to oblige], it was struck out for some harshness, being only such a digression, as the history itself would not be decomposed by its omission; which I suppose will be easily discerned, by reading over the beginning of the third book of the said history, very near which place this character is to come in.

It is reported, and from the foregoing character it seems probable, that Mr. Milton had lent most of his personal estate upon the publick faith; which, when he somewhat earnestly and warmly pressed to have restored [observing how all in offices had not only feathered their own nests, but had enriched many of their relations and creatures, before the publick debts were discharged], after a long and chargeable attendance, met with very sharp rebukes; upon which, at last despairing of any success in this affair, he was forced to return from them poor and friendless, having spent all his money, and wearied all his friends. And he had not probably mended his worldly condition in those days, but by performing such service for them, as afterwards he did, for which scarce any thing would appear too great.

OF these, who swayed most in the late troubles, few words, as to this point, may suffice. They had arms, leaders, and successes to their wish; but to make use of so great an advantage was not their skill.

To other causes therefore, and not to the want of force, or warlike
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manhood in the Britons, both those, and these lately, we must impute the ill-husbanding of those fair opportunities, which might seem to have put liberty, so long desired, like a bridle into their hands. Of which other causes equally belonging to ruler, priest, and people, above have been related; which, as they brought those ancient natives to misery and ruin, by liberty, which, rightly used, might have made them happy; so brought they these of late, after many labours, much bloodshed, and vast expence, to ridiculous frustration; in whom the like defects, the like miscarriages notoriously appeared, with vices not less hateful or inexcusable.

For, a parliament being called to redress many things, as it was thought, the people, with great courage, and expectation to be eased of what discontented them, chose to their behoof in parliament such as they thought best affected to the publick good, and some, indeed, men of wisdom and integrity; the rest, to be sure the greater part, whom wealth or ample possessions, or bold and active ambition, rather than merit, had commended to the same place.

But, when once the superficial zeal and popular fumes, that acted their new magistracy, were cooled, and spent in them, straight every one betook himself, setting the commonwealth behind, his private ends before, to do as his own profit or ambition led him. Then was justice delayed, and soon after denied: spight and favour determined all: hence faction, thence treachery, both at home and in the field: every where wrong, and oppression: foul and horrid deeds committed daily, or maintained, in secret, or openly. Some who had been called from shops and warehouses, without other merit, to sit in supreme councils and committees, as their breeding was, fell to huckster the commonwealth. Others did thereafter as men could sooth and humour them best; so he who would give most, or, under covert of hypocritical zeal, insinuate basest, enjoyed unworthily the rewards of learning and fidelity; or escaped the punishment of his crimes and misdeeds. Their votes and ordinances, which men looked should have contained the repealing of bad laws, and the immediate constitution of better, resounded with nothing else, but new impositions, taxes, excises; yearly, monthly, weekly. Not to reckon the offices, gifts, and preferments bestowed and shared amongst themselves: they, in the meanwhile, who were ever faithfullest to this cause, and freely aided them in person, or with their substance, when they durst not compel either, slighted, and bereaved after of their just debts by greedy sequestrations, were tossed up and down after miserable attendance from one committee to another with petitions in their hands; yet, either missed the obtaining of their suit, or, though it were at length granted (mere shame and reason oftentimes extorting from them at least a shew of justice) yet, by their sequestrators and sub-committees abroad, men for the most part of insatiable hands, and noted disloyalty, those orders were commonly disobeyed; which, for certain, durst not have been, without secret compliance, if not compact with some superiors able to bear them out. Thus were their friends confiscate in their enemies, while they forfeited their debtors to the state, as they called it, but indeed to the ravening seizure of innumerable thieves in office; yet

were withal no less burthened in all extraordinary assessments and oppressions, than those whom they took to be disaffected: nor were we happier creditors to what we called the state, than to them who were sequestered as the state's enemies.

For that faith, which ought to have been kept as sacred and inviolable as any thing holy, the publick faith, after infinite sums received, and all the wealth of the church not better employed, but swallowed up into a private gulph, was not before long ashamed to confess bankrupt. And now, besides the sweetness of bribery, and other gain, with the love of rule, their own guiltiness, and the dreaded name of just account, which the people had long called for, discovered plainly that there were of their own number, who secretly contrived and fomented those troubles and combustions in the land, which openly they sat to remedy; and would continually find such work, as should keep them from being ever brought to that terrible stand, of laying down their authority for lack of new business, or not drawing it out to any length of time, though upon the ruin of a whole nation.

And, if the state were in this plight, religion was not in much better; to reform which, a certain number of divines were called, neither chosen by any rule or custom ecclesiastical, nor eminent for either piety or knowledge above others left out; only as each member of parliament in his private fancy thought fit, so elected one by one. The most part of them were such, as had preached and cried down, with great shew of zeal, the avarice and pluralities of bishops and pluralities; that one cure of souls was a full employment for one spiritual pastor, how able soever, if not a charge rather above human strength. Yet these conscientious men (before any part of the work done for which they came together, and that on the publick salary) wanted not boldness, to the ignominy and scandal of their pastor-like profession, and especially of their boasted reformation, to seize into their hands, or not unwillingly to accept (besides one, sometimes two or more of the best livings) collegiate masterships in the universities, rich lectures in the city, setting sail to all winds that might blow gain into their covetous bosoms: by which means these great rebukers of non-residence, amongst so many distant cures, were not ashamed to be seen so quickly pluralists and non-residents themselves, to a fearful condemnation doubtless by their own mouths. And yet the main doctrine for which they took such pay, and insisted upon with more vehemence than gospel, was but to tell us, in effect, that their doctrine was worth nothing, and the spiritual power of their ministry less available than bodily compulsion; persuading the magistrate to use it, as a stronger means to subdue and bring in conscience, than evangelical persuasion: distrusting the vertue of their own spiritual weapons, which were given them, if they be rightly called, with full warrant of sufficiency to pull down all thoughts and imaginations that exalt themselves against God. But, while they taught compulsion without convincement, which not long before they complained of, as executed unchristianly, against themselves, these intents are clear to have been no better than anti-christian; setting up a spiritual tyranny by a secular power, to the advancing of their own authority

above the magistrate, whom they would have made their executioner, to punish church delinquencies, whereof civil laws have no cognisance.

And well did their disciples manifest themselves to be no better principled than their teachers, trusted with committeeships, and other gainful offices, upon their commendations for zealous and (as they sticked not to term them) godly men, but executing their places, like children of the devil, unfaithfully, unjustly, unmercifully, and, where not corruptly, stupidly; so that, between them the teachers, and these the disciples, there hath not been a more ignominious and mortal wound to faith, to piety, to the work of reformation; nor more cause of blaspheming given to the enemies of God and truth, since the first preaching of reformation.

The people, therefore, looking one while on the statists, whom they beheld without constancy or firmness, labouring doubtfully beneath the weight of their own too high undertakings, busiest in petty things, trifling in the main, deluded and quite alienated, expressed divers ways their disaffection, some despising whom before they honoured, some deserting, some inveighing, some conspiring against them. Then, looking on the churchmen, whom they saw, under subtle hypocrisy, to have preached their own follies, most of them not the gospel; time-servers, covetous, illiterate persecutors, not lovers of the truth; like in most things, whereof they accused their predecessors: looking on all this, the people, which had been kept warm a while with the counterfeit zeal of their pulpits, after a false heat, became more cold and obdurate than before, some turning to lewdness, some to flat atheism, put beside their old religion, and foully scandalised in what they expected should be new.

Thus they, who of late were extolled as our greatest deliverers, and had the people wholly at their devotion, by so discharging their trust, as we see, did not only weaken and unfit themselves to be dispensers of what liberty they pretended, but unfitted also the people, now grown worse and more disordinate, to receive, or to digest any liberty at all. For stories teach us, that liberty, sought out of season, in a corrupt and degenerate age, brought Rome itself into a farther slavery: for liberty hath a sharp and double edge, fit only to be handled by just and virtuous men; to bad and dissolute it becomes a mischief unwieldy in their own hands; neither is it completely given, but by them who have the happy skill to know what is grievance and unjust to a people, and how to remove it wisely; what good laws are wanting, and how to frame them substantially, that good men may enjoy the freedom which they merit, and the bad the curb which they need. But to do this, and to know these exquisite proportions, the heroick wisdom, which is required, surmounted far the principles of these narrow politicians: what wonder, then, if they sink, as these unfortunate Britons before them, entangled and oppressed with things too hard, and generous above their strain and temper? for Britain, to speak a truth not often spoken, as it is a land fruitful enough of men stout and courageous in war, so is it, naturally, not over-fertile of men able to govern justly and prudently in peace, trusting only in their mother-wit; who con-

sider not justly, that civility, prudence, love of the publick good, more than of money or vain honour, are, to this soil, in a manner outlandish; grow not here, but in minds well implanted with solid and elaborate breeding, too impolitick else, and rude, if not headstrong and intractable to the industry and virtue either of executing, or understanding true civil government; valiant, indeed, and prosperous to win a field, but, to know the end and reason of winning, unjudicious and unwise; in good or bad success alike unteachable. For the sun, which we want, ripens wits, as well as fruits; and, as wine and oil are imported to us from abroad, so must ripe understanding, and many civil virtues be imported into our minds from foreign writings, and examples of best ages, we shall else miscarry still, and come short in the attempts of any great enterprise. Hence did their victories prove as fruitless, as their losses dangerous, and left them, still conquering, under the same grievances, that men suffer, conquered; which was indeed unlikely to go otherwise, unless men more than vulgar bred up, as few of them were, in the knowledge of ancient and illustrious deeds, invincible against many and vain titles, impartial to friendships and relations, had conducted their affairs; but then, from the chapman to the retailer, many, whose ignorance was more audacious than the rest, were admitted, with all their sordid rudiments, to bear no mean sway among them, both in church and state.

From the confluence of all their errors, mischiefs, and misdemeanors, what in the eyes of man could be expected, but what befell those ancient inhabitants, whom they so much resembled, confusion in the end?

But on these things, and this parallel, having enough insisted, I return to the story which gave us matter of this digression.

THE BISHOP'S POTION:

OR,

A DIALOGUE, BETWEEN THE BISHOP OF CANTERBURY AND HIS PHYSICIAN;

Wherein he desireth the Doctor to have a Care of his Body, and to preserve him from being let Blood in the Neck, when the Sign is in Taurus.

Printed in the Year 1641. Quarto, containing six Pages.

Canterbury,

WELCOME, good Mr. Doctor?

Doctor. I understand, by one of your gentlemen, your grace was pleased to send for me?

Cant. Not without cause, good Mr. Doctor, for I find myself diseased in all parts, insomuch that, without some speedy remedy, I cannot long continue; I have a great desire to take physick, in case the time of the year be seasonable.

Doct. Yes, the time of the year may be seasonable, but we must have a care of the constitution of your lordship's body, the nature of the disease, and the quality of the medicine. Our cordials, potions, electuaries, syrups, plaisters, unguents, clysters, vomits, baths, suppositories, and the like, must be duly regarded, with a due care what planet is predominant.

Cant. I approve your learned skill, good Mr. Doctor, in having respect to the constellations, for I am of opinion, which the brethren, forsooth, call superstition, if I be let blood in the neck, when the sign is in *Taurus*, I shall certainly bleed to death.

Doct. That may very well be, unless your surgeon have a more saving skill than my lord deputy's had: but I pray, my Lord, let me see your Grace's water, for by it I shall easily perceive the state of your body?

Cant. Reach that urinal there: look you, Mr. Doctor, this water I made last night, after my first sleep; what do you think by it?

Doct. My Lord, your water is a most thick, dense, solid, heavy, almost ragged, putrid, stinking, and rotten urine; your Grace hath kept a very bad diet; there are certain raw crudities, that lie heavy and undigested upon your stomach, which will, without remedy, and that speedily, ascend so high, until it stifle and suffocate your Grace.

Cant. I pray, good Mr. Doctor, use your skill, in removing them; I must confess I owe a death, which I would be loth to pay, before it be due; wherefore, if it be within your power to prolong my life, spare no cost for the effecting it.

Doct. My Lord, it is within the power of my art to prolong your life, in case it be not cut off untimely. I have here prepared a vomit for your Grace, which, I doubt not, but will have a speedy operation; down with it, my Lord, fear not, it will bring something up by and by, and see, it begins to work already.

Cant. Hold my head, good Mr. Doctor, oh! oh!

Doct. Well done, up with it, my Lord: what is here? A great piece of parchment, with a yellow seal to it, the writing is obscure, I cannot read it: but what is this that comes next? A root of tobacco; I protest it is pure Spanish; how comes this to pass, had your Grace any hand in the tobacco patent?

Cant. Yes, it hath stuck on my stomach these four years at least, and I could never digest it before. Hold the bason.

Doct. What is this? A book, Whosoever hath been at church may exercise lawful recreations on the Sunday; what is the meaning of this?

Cant. It is the book for pastimes on the Sunday, which I caused to be made: but hold, here comes something, what is it?

Doct. It is another book, the title is, Sunday no Sabbath; Did you cause this to be made also?

Cant. No, Dr. Pocklington made it, but I licensed it.

Doct. What, he that looks so like a necromancer; he that was, for his pains, preferred besides his benefices? But what is this? A paper. It is, if I be not mistaken, a Star-chamber order against Mr. Prynne, Mr. Burton, and Dr. Bastwicke; had you any hand in that?

Cant. I had, I had, all England knoweth it: but, oh! here comes something that makes my very back ach; oh! that it were up once; now it is up, I thank Heaven? What is it?

Doct. It is a great bundle of papers, of presentations, and suspensions; these were the instruments, my Lord, wherewith you created the tongue-tied Doctors, and gave them great benefices in the country, to preach some twice a year at the least, and, in their place, to hire some journeyman curate, who will only read a sermon in the forenoon, and in the afternoon be drunk with his parishioners for company; and, with others, you silenced the long-winded ministers.

Cant. I must confess, it is true: but here is something that pains me extremely; oh! that it were up, this troubles me more than all the rest; see what it is, good Doctor, for it is up.

Doct. Why, my Lord, the book of canons, charged with the horrible monster.

Cant. Now I am pretty well at ease: but I pray, Mr. Doctor, what was this made of?

Doct. Why, my Lord, three ounces of tobacco, three scruples of pillory-powder, one scruple of his brains that looked over London-bridge, and three handfuls of the herbs gathered by the apprentices, wrapped up in a high commission roll, and boiled in a pottle of holy-water, to the third part, and strained through a pair of lawn sleeves.

Cant. Nay, if this be your physick, I will take no more of it: oh! there comes something else; I protest, the mitre; alas! I had almost broke my lungs.

Doct. Nay, if the mitre be come, the devil is not far off: farewell, good my Lord.

A SPEECH

SPOKEN IN THE HOUSE OF COMMONS,

BY

The Reverend Father in God,

ROBERT, LORD BISHOP OF COVENTRY AND LITCHFIELD.

Being brought to the Bar to answer for himself.

London, printed by R. B. for Richard Lownds, and are to be sold at his Shop
without Ludgate. 1641. Quarto, containing six Pages.

Master Speaker,

AS it hath been ever my fashion (and, in truth, it is my disposition) to endeavour, at the least, to give satisfaction to every man, even to the meanest, that hath had any sinister conceptions of me, be it *scandalum datum*, or *acceptum*; so hath it been my ambition, and I have sought it with affection (as to all men) so much more to this honourable assembly, especially concerning the late petition and protestation exhibited unto his sacred Majesty, and the lords and peers in parliament. But, in the first place, Master Speaker, I am, as it becomes me, to give most hearty and condign thanks to the noble knights, citizens, and burgesses, of this honourable house of commons, for that they have been pleased, by a general vote, and, I hope, unanimous, to give me leave to speak for myself, and to lay open the truth of my cause, concerning the said petition and protestation before them.

And now, Master Speaker, to address myself to the business, whereof I shall not speak as a lawyer, for I have no head for law, neither shall I need to touch upon any point thereof; nor as a flourishing orator, as desirous to hear himself speak, I have long since laid aside my books of rhetorick: my desire is, Master Speaker, to tread in the steps of an old divine, of whom Sozomen writes in his ecclesiastical history, who, groaning under the like heavy burthen and accusation as I do, chose rather to vent his own sense, and express the truth of his cause in plain language, than to colour or cloak falshood, and to extenuate his offence, by forced, trapped, and new varnished eloquence: and to that purpose, my conceptions and narration shall stand only upon two feet, negation and affirmation. There are some things that I must deny, and, yet justly, somewhat I must affirm, and that I shall do ingenuously and fully. First, for the negative: I never framed, made, nor contrived,

compiled, or preferred, any such petition or protestation; I never was at any meeting, consultation, or conference, about any such business; nay, I never heard of any intention, much less execution of any such thing, until it was the Wednesday in Christmas, being the 29th of December, at which time it was brought unto my house in Covent-garden, being betwixt six or seven at night (subscribed by eleven of my brethren) with a request, that I would subscribe suddenly also. And for the affirmation, presuming that so many learned, grave, and wise men, well versed in matters of that nature, would not have attempted any such thing, without good counsel, to the endangering of themselves, and their brethren, and to the distaste of the lords, and that all the rest of the bishops, in or about the cities of London or Westminster, should subscribe thereunto, and that it should not be preferred, without the approbation, and mature deliberation of good counsel, and of us all: I made the twelfth, and set to my hand, which I do now acknowledge, and never denied; nay, the first time that I came to the bar in the Lords house, I acknowledged that my hand was to it, and divers of this honourable presence heard it so read unto them, out of the journal of the lords house.

Now, Master Speaker, if these my deceived and deceiving thoughts (to use St. Bernard's phrase) have led me into an error, the error is either *Ex ignorantia juris*, an unskilfulness in the law, or *Debilitate judicii*, a weakness of my apprehension, or else *Ex nimia credulitate*, out of the too much confidence in others, not of any prepensed malice, or out of a spirit of contradiction, as the Lord knoweth. The schoolmen tell me, that *Duo sunt in omni peccato*, there is *actio*, et *malitia actionis*; I own the action, the subscription is mine; but, that there was any malice in the action (to cross any vote, at which I was not present, nor never heard of) I utterly disavow.

And, therefore, Master Speaker, I shall become an humble suitor, that I may recommend three most humble requests, or motions, to this honourable house.

The first motion is, that you would be pleased to tread in the steps of Constantine, the Christian emperor, who had ever this resolution, that, if he should see *Sacerdotem peccantem*, an offending divine, he would rather cast his purple garment upon him, than reveal the offence, for the gospel's sake of Christ.

My second motion is, that, if my subscription shall make me a delinquent and worthy of any censure, then the censure may not exceed, but, at the highest, be proportionable to the offence.

The third and last motion is, that that of *Plautus* (after my fifty-eight years painful, constant, and successfull preaching of the gospel of Christ in the kingdom of England, and in foreign parts) may not be verified of me: *Si quid bene feceris, levior pluma gratia est; si quid mali feceris, plumbeas iras gerunt*. And now, Master Speaker, I might here tender divers motions to the consideration of this honourable house, for favourable construction of my rash subscription; I may say commiseration, but all without ostentation; that is far from me; but rather for the consolation of my perplexed soul, for the great affliction, restraint, and disgrace, which I have long sustained (which is far greater, than

ever I endured before, and transcends the dangers and jeopardies of the seas, and the miseries of the wars, whereof I have had my share) and partly for the vindication of my former reputation, calling, and profession, which is now so clouded, eclipsed, and blacked in the eyes of the world, and scandalised in the mouths of the vulgar multitude, that, without reparation, and restoration to my former esteem, I shall never have heart to shew my face in a pulpit any more, wherein I have wished to end my days. But I wave them all, because I will not detain you from other occasions of greater importance, and desire my ways may be made known unto you rather by inquisition, than my own relation: only I shall appeal to the noble knights, citizens, and burgesses of the diocese where I now live, and of the other, wherein formerly I did live, as, namely, the honourable city of Bristol; which I can never name without that title, not only in respect of their piety, unity, and conformity, but also in respect of their love, kindness, and extraordinary bounty unto me: I appeal to them for their testimonies, and knowledge of my courses amongst them; nay, I appeal to the records of the honourable house, where, I am confident, after sixteen months sitting, there is nothing found, that can trench upon me; neither, I hope, will, or may be.

And therefore my humble suit is for expedition, if you intend accusation; or rather for your mediation, that I may speedily return to my own home and cure, 'to redeem the time, because the days are evil,' as the apostle speaks, and to regain the esteem and reputation, which I was long in getting, and long enjoyed, but lost in a moment; for, if I should out-live (I say not my bishoprick, but) my credit, my grey hairs and many years would soon be brought with sorrow to the grave.

I have done, Master Speaker, and there remains nothing now, but that I become a petitioner unto Almighty God, that he will be pleased to bestow upon you all the patriarch's blessing, even the dew of heaven, and fatness of the earth; and I end with that of St. Jude, 'Mercy, peace, and love be multiplied unto you:' I say again, with a religious and affectionate heart, 'Mercy, peace, and love be multiplied unto you.'

CERTAIN

SELECT OBSERVATIONS

ON

THE SEVERAL OFFICES, AND OFFICERS,

IN THE

MILITIA OF ENGLAND,

With the power of the Parliament to raise the same, as they shall judge expedient, &c.

Collected and found among the Papers of the late Mr. John Pymm,

A Member of the House of Commons,

Writ in the Year 1641. MS.

WHEN kings were first ordained in this realm, the kingdom was divided into forty portions, and every one of those portions or counties was committed to some earl, to govern and defend it against the enemies of the realm. Mirror of Justice, p. 8.

Those earls, after they received their government in each county, divided them into centurians or hundreds; and in every hundred was appointed a centurian or constable, who had his portion and limits assigned him to keep and defend with the power of the hundred, and were to be ready, upon all alarms, with their arms. against the common enemy. These, in some places, are called wapentakes, which, in French, doth signify taking of arms. Mirror, p. 10, 12. Henry VIII. folio. 16, 17.

King Alfred first ordained two parliaments to be kept every year, for the government of the people, where they were to receive laws and justice. Mirror, p. 10, 11.

The peers, in parliament, were to judge of all wrongs done by the king to any of his subjects. Mirror, p. 9.

The ancient manner of choosing and appointing of officers, was by those over whom their jurisdiction extended.

Instances.

1. Tythingman: this man was, and at this day is, chosen by the men of his own tything, and by them presented to the leet, to be sworn for the true execution of his office.

2. Constable: this officer is chosen by the inhabitants who are to be governed by him, and those of the place where his jurisdiction lieth, and presented unto the leet to be sworn.

3. Coroner: this officer hath jurisdiction within the whole county, and therefore was chosen by the freeholders of the county, in the county-court. Cook's Magna Charta, p. 174, 175, 559.

4. Such as had charge to punish such as were violaters of Magna-Charta; these were chosen in the county-court, as appeareth by Stat. 28. Ed. I. c. 1. 17.

5. Sheriffs: were, in time past, and by the common law, to be chosen likewise in the county-court. Lamb. Saxon laws, fol. 136. stat. 28. Ed. I. c. 8, 13. Cook's Magna Charta, 175, 559. Mirror, p. 8.

6. Lieutenants of counties (anciently known by the name of *Heretoch*) were chosen in the county-court (which Cook upon Magna Charta, p. 69. calls the folkmete.) Lamb. Saxon laws, folio 136. Mirror, p. 8, 11, 12.

7. Majors and bayliffs, in boroughs and towns corporate, are chosen by the commonalty of the same corporation within their jurisdiction.

8. Conservators of the peace were anciently chosen by the freeholders in the county-court. Cook's Magna Charta, 558, &c.

9. Knights for the parliament are to be chosen in the county-court, stat. 7. H. IV. cap. 15. 1. H. V. 1. 8. H. VI. cap. 7. 10. H. VI. cap. 2.

10. Verderers of the forest are chosen within their jurisdiction, by the inhabitants. Cook's Magna Charta, 559.

11. Admirals, being the sheriffs of the counties, as Selden in his *Mare Clausum*, p. 169, 188, affirms, must be chosen as the sheriffs were, viz. in the county-court. But the parliament of R. II. folio 29, saith, they are chosen in the parliament, the representative body of the realm, because they had the defence of the realm by sea committed unto them.

12. The captain of Calais, viz. Richard Earl of Warwick, in the time of Henry VI. refused to give up his captainship of Calais unto the king, because he received it in parliament. Cowel's interpreter in the word Parliament.

13. The lord chancellor: to whom is committed the great seal of England, being the publick faith of the kingdom, was in former times chosen in parliament. Lamb. Archeion, p. 48. Dan. Chronicle, p. 139, 148, 195.

14. Lord treasurer: an officer to whom is of trust committed the treasure of the kingdom, was, in like manner, chosen in parliament.

15. Chief justice: an officer unto whom is committed the administration of the justice of the realm, was chosen in parliament. Lamb. Archeion, p. 48. *ut supra*.

Anno 15. Ed. III. the king was petitioned in parliament, that the high officers of the kingdom might, as in former times, be chosen in parliament. To which the king yielded, that they should be sworn in

parliament. Dan. Chronicle, p. 195. *Quære* the parliament roll and petitions.

And it appeareth, by a printed statute, *Anno* 15 Ed. III. cap. 3. that the great officers of the kingdom were sworn to maintain Magna Charta.

16. The great council of the king and kingdom, namely, the parliament, is chosen by the commons; for they choose the knights and citizens, and burgesses, or barons, for so the citizens were anciently called; and the cinque-ports retain that name to this day.

And this was, as I conceive, the ancientest constitution of the kingdom, for choosing of their officers.

In the next place, it will be requisite to inquire, which of these officers are now altered, and by what authority. And, first, of sheriffs:

The choice of sheriffs was first taken from the freeholders by the statute of 9 Edward II, and the choice of them committed to the lord chancellor, treasurer, the barons of the exchequer, and the justices of either bench. Cook's Magna Charta, p. 559.

This election is to be made the morrow after All Souls Day in the exchequer, by statute 14 Edward III. c. 7.

Quære 1. If they choose none at that day and place, but at some other time, whether the choice be good? Or if he be chosen by any other?

Objection. The king himself doth usually make and appoint sheriffs in every county by his prerogative.

Solution. It hath been agreed by all the judges, that the king cannot appoint any other to be sheriff, than such as are named and chosen according to the statute of Lincoln. Cook's Magna Charta, p. 559.

If so, then it is questionable, whether the making of Mr. Hastings sheriff of Leicestershire be warrantable by law, or not?

Quære 2. If no sheriff be legally chosen, whether the freeholders of the county shall not choose one, as they were accustomed, before the making of the stat. of 9 Ed. II for these reasons.

1. If there be no sheriff legally chosen, there will be a failure of justice, which the law will not permit.

2. Because the statute is in the affirmative, and therefore doth not altogether take away their power of choosing, because affirmative statutes do not alter the common law.

Next, let us consider the choice of justices of the peace, who, as they are commissioners of the peace, are not officers by the common law; and, therefore, this case will differ in some respects from the former, it being an office created by statute.

1. I conceive that no court may be erected without the authority of parliament: for the court of First Fruits was erected by stat. 32 Henry VIII. cap. 45. the Court of Wards by stat. 32. Henry VIII. cap. 46.

the Court of Justice in Wales by stat. 34. H. VIII. c. 26. And power to erect courts given 1 Mar. sess. 2. cap. 10. And it was resolved in this parliament, at the trial of the Earl of Strafford, that the court at York was against law, albeit it hath had continuance these hundred years, because it was not erected by parliament.

And justices of the peace, being judges of record, were first ordained by statute, as appeareth by 18 Ed. III. cap. 2, and 34 Ed. III. cap. 1, with such other additions of power, as later statutes have given unto them.

Justices of peace then having their being by vertue of the statute-law, they are to be ordained in the same manner as the statutes prescribe, and not otherwise :

1. After their first institution, the statutes did leave the choice of them indefinitely in the crown, as I conceive, until the statute of 12 R. II. 27, which statute doth instruct the chancellor, treasurer, keeper of the privy-seal, steward and chamberlain of the king's house, the clerk of the rolls, the justices of both benches, barons of the exchequer, and others, to name and make them.

2. Other statutes do appoint what persons shall be chosen to be justices of the peace; namely, such as reside in the same county where they are justices of peace, as stat. 12. R. II. c. 10. And they must be of the most sufficient knights, esquires, and gentlemen of the same county, stat. 17. Rich. II. 10. and dwelling in the same county, 2 H. V. stat. ii. cap. 1. (except lords, and justices of assizes) upon this last statute, it may be doubted if choice may be made of any lords, and justices of assizes, which have no residence, or estate, in the county where they are so made justices of the peace; which, if it doth, it doth repeal all former statutes, which confines them to such persons as are of the same county; which I conceive is against their meaning, for that statute doth only dispence with the residence of lords and justices of assize, because men of the same county, inhabiting in the county where they are justices of peace, in regard of their other employments in the commonwealth, which necessarily requireth their absence, and so it amounteth only to a dispensation for their residency.

Objection. The common practice is, that the lord keeper doth appoint whom he pleases, and that by virtue of the statute of 18 Henry VI. cap. 1.

Solution, True! such is the practice; but the doubt is, how warrantable his act is? for the statute of 18 H. VI. doth give the lord chancellor (alone by himself) no other power, but in case there be no men of sufficiency in the county, and where none of twenty pounds per annum are to be found. For, in such case, he hath power to appoint such as he conceives are men most fit. But, in case there are men of sufficient estates in the county to be found, he must join with the others mentioned in the statute, viz. the treasurer, privy-seal, &c. who have a joint and undivided power with him.

If this be so, then it may be doubted, whether the lord viscount Faulkland, being no peer of the realm, Sir Peter Miche, Sir Edward Nichols, of late put into the commission of the peace, in many counties

of this kingdom, are, by the law, capable of being justices of the peace in those counties where they do not reside? *Et sic de similibus*.

Quære also, whether a justice of the peace, being once legally chosen according to the statute beforementioned, may be put out at the pleasure of the lord keeper alone, without any just cause alledged, for being a justice of record, whether some matter of record must not appear to disable him? for, being settled by law, he is to be displaced by law, and not upon displeasure or surmise.

3. A third office is, the lieutenants in every county, in former times known (for the name only is out of use) by the name of Heretoch, Lamb. Saxon Laws, fol. 136. And here will fall into debate the ordinance in parliament, about the settling of the militia of the kingdom.

The choice of these, as was formerly mentioned, was by the freeholders in the county-court: but, of later times, they have exercised the same power, being appointed by the king, under the shadow of his prerogative.

First, it is to be demanded, whether the king's prerogative can take away that ancient right, which the subjects had, by law, invested in them? If so, then the king, by his prerogative, may do wrong, which is contrary to a maxim in law. *Portescue de Legibus*, &c. fol. 25. If not, then whether the power of choosing a lieutenant, or Heretoch, doth not yet remain in the subject, so as they may now choose one as well, and by the same right they did in former times?

If freeholders of a county may yet choose, then I conceive the parliament, being the representative body of the whole kingdom, may appoint lieutenants; because they include them, or, at least, they are not excluded from such a power, no more than where the statute, giving power unto justices of peace to inquire of a riot, doth exclude the power of the king's bench, which no man will affirm. And therefore the ordinance of the militia is legal.

That the parliament hath power to make an ordinance, may be proved *A minori*. For,

If the inhabitants of a town, without any custom to inable them, may make an ordinance, or bye law, for the reparation of their church, highway, or bridge in decay, or any the like thing, being for their publick good, and upon a pecuniary pain, in case of neglect, and if it be made by the greater part, that it shall bind all within the town, as hath been agreed for law, 44 Ed. III. fol. 19. Cook. Lib. V. fol. 63, the Chamberlain of London's case, Clarke's case, and Jefferyes's case, *ibid.* fol. 64, 65.

If a township be amerced, and the neighbours, by assent, shall assess a certain sum upon every inhabitant, and agree, that if it be not paid by such a day, that certain persons, thereto assigned, shall distrain; and, in this case, the distress is lawful. Doctor and Student, fol. 74, 6, cap. 9.

If a bye law, that every one that holdeth land shall pay one penny towards the reparation of a church, and, for non-payment, shall forfeit to the churchwardens twenty shillings, be good and doth bind, as the book saith, 21. H. VII. fol. 20. holdeth.

If a town make bye laws, and they shall bind every one of the town, if it be for the common good, as 11 H. VII, fol. 14, then, by the same reason, may the parliament make ordinances, and bye laws, for the common good of the kingdom, as shall bind all. For, if a town may make ordinance, much more may the knights and burgesses of the parliament, because they have their power *ad faciendum et consentiendum*; as appeareth of record under their hands, and seals in chancery, in their return of their several elections for knights and burgesses.

Lastly, as every private man is, by law, bound to preserve the peace; as in case an affray be made by two, and a third man standing by shall not use his best endeavour to part them, and preserve the peace, he may be indicted and fined for it: why may not the parliament, being intrusted with the preservation of the peace of the realm, make an ordinance for the preservation of the peace in case of apparent danger?

Ordinance made in parliament 8 Ed. II, for the preservation of the alienation of the king's land, and fines set upon such as presume to break them. Rot. Parl. 28 H. VI. Art. 29.

The judges and courts at Westminster may make an ordinance, for fees to be paid unto the clerk of their courts, and for bar fees taken by sheriff and gaolers, 21 H. VII. fol. 17.

An ordinance made in parliament, 21 Ed. III, fol. 60, for exemption of the abbot of Bury from the jurisdiction of the bishop of Norwich. Selden's Titles of Honour, page 702, 12 H. VII, fol. 25.

Heyborne and Keylond's case, M. 14 Ed. IV, Rot. 60, in Banco Reg. Crook, page 25, who had his money taken away from him by vertue of an ordinance, and was adjudged, that the ordinance did bind him.

Whether an infant may be a colonel, admiral, &c.?

1. None, by the intention of the law, can do knights service, before he be twenty-one years of age. And this is the reason of wardship.

2. It is an office of trust, which may not be executed by a deputy.

3. Such an office requires personal attendance, for, otherwise, the county may be otherthrown unawares, in the absence of such a governor from his charge.

AN ARGUMENT OF LAW,
 CONCERNING
 THE BILL OF ATTAINDER OF HIGH TREASON
 OF
 THOMAS EARL OF STRAFFORD:

At a Conference in a Committee of both Houses of Parliament.

BY MR. ST. JOHN,

His Majesty's Solicitor General,

Published by Order of the Commons House. London, printed Anno Domini, 1641.
 Quarto, containing eighty Pages.

My Lords,

THE knights, citizens, and burgeses of the commons house of parliament have passed a bill for the attainting of Thomas, Earl of Strafford, of high treason. The bill hath been transmitted from them to your lordships. It concerns not him alone, but your lordships and the commons too, though in different respects.

It is to make him as miserable a man, as man or law can make him.

Not loss of life alone, but with that of honour, name, posterity, and estate; of all that is dear to all.

To use his own expression, an eradication of him both root and branch, as an Achan, a troubler of the state, as an execrable, as an accursed thing.

This bill, as it concerns his lordship the highest that can be in the penal part, so doth it, on the other side, as highly concern your lordships and the commons, in that which ought to be the tenderest, the judicatory within, that judge not them who judge him; and, in that which is most sacred amongst men, the publick justice of the kingdom.

The kingdom is to be accounted unto for the loss of the meanest member, much more for one so near the head.

The commons are concerned in their account for what is done, your lordships in that which is to be done.

The business, therefore, of the present conference is to acquaint your lordships with those things that satisfied the commons in passing of this bill; such of them as have come within my capacity, and that I can remember, I am commanded from the commons, at this time, to present unto your lordships.

My lords, in judgments of greatest moment, there are but two ways for satisfying those that are to give them; either the *lex lata*, the law

already established, or else, the use of the same power for making new laws, whereby the old at first received life.

In the first consideration of the settled laws: In the degrees of punishment, the positive law received by general consent, and for the common good, is sufficient to satisfy the conscience of the judge, in giving judgment according to them.

In several countries, there is not the same measure of punishment for one and the same offence. Wilful murder in Ireland is treason, and so is the wilful burning of a house, or stack of corn. In the isle of Man, it is felony to steal a hen, but not to steal a horse; and yet, the judge in Ireland hath as just a ground to give judgment of high treason, in those cases, there, as here to give judgment only of felony; and in the isle of Man, of felony for the hen, as here of petty larceny.

My lords, in the other consideration of using the supreme power, the same law gives power to the parliament to make new laws, that inables the inferior court to judge according to the old. The rule that guides the conscience of the inferior court is from without, the prescripts of the parliament, and of the common law; in the other, the rule is from within: That *salus populi* be concerned: That there be no wilful oppression of any the fellow members: That no more blood be taken, than what is necessary for the cure: The laws and customs of the realm as well inable the exercise of this, as of the ordinary and judicial power.

My lords, what hath been said, is, because that this proceeding of the commons, by way of bill, implies the use of the mere legislative power, in respect new laws are, for the most part, passed by bill.

This, my lords, though just and legal, and, therefore, not wholly excluded, yet it was not the only ground that put the commons upon the bill; they did not intend to make a new treason, and to condemn my Lord of Strafford for it; they had in it other considerations likewise, which were to this effect:

First, The commons knew, that, in all former ages, if doubts of law arose upon cases of great and general concernment, the parliament was usually consulted withal for resolution, which is the reason, that many acts of parliament are only declarative of the old law, not introductive of a new, as the great charter of our liberties; the statute of 25. Edw. III. of treasons; the statute of the prerogative; and, of late, the petition of right. If the law was doubtful in this case, they conceived the parliament (where the old may be altered, and new laws made) the fittest judge to clear this doubt.

Secondly, My lords, they proceeded this way to out those scruples and delays, which, through disuse of proceedings of this nature, might have risen in the manner and way of proceeding, since the statute of 1. Henry VI. cap. xvii. and more fully in the roll, number 144. The proceedings in parliament have usually been upon an indictment first found; though in cases of treason, particularly mentioned in the statute of 25 Edw. III. which had not been done in this case: Doubts likewise might rise for treasons, not particularly mentioned in the statute of 25 Edw. III. Whether the declaratory power of parliament

be taken away; and, if not taken away, in what manner they were to be made, and by whom? They find not any attainders of treason in parliament for near this two hundred years, but by this way of bill. And again, they knew that whatsoever could be done any other way, it might be done by this.

Thirdly, In respect of the proofs and depositions that have been made against him; for, First, Although they knew not, but that the whole evidence which hath been given at the bar, in every part of it, is sufficiently comprehended within the charge; yet, if therein they should be mistaken, if it should prove otherwise, use may justly be made of such evidence in this way of bill, wherein, so as evidence be given in, it is no way requisite that there should have been any articles or charge at all. And so in the case of double testimony, upon the statute of 1. Edw. VI. Whether one direct witness, with others, to circumstances, had been single or double testimony; and, although single testimony might be sufficient to satisfy private consciences, yet how far it would have been satisfactory in a judicial way, where forms of law are more to be stood upon, was not so clear; whereas, in this way of bill, private satisfaction to each man's conscience is sufficient, although no evidence had been given in at all.

My lords, the proceeding by way of bill, it was not to decline your lordships justice in the judicial way: In these exigencies of the state and kingdom, it was to husband time; by silencing those doubts, they conceived it the speediest and the surest way.

My lords, these are, in effect, the things the commons took into their consideration, in respect of the manner and way of proceeding against the earl. In the next place, I am to declare unto your lordships the things they took into their consideration, in respect of the matter and merits of the cause; they are comprehended within these six heads:

1. That there is a treason within the statute of 25 Edw. III. by levying of war upon the matter of the fifteenth article.

2. If not by actual levying of war, yet, by advising and declaring his intention of war, and that by Savill's warrant, and the advice of bringing over the Irish army, upon the matter of the twenty-third article, the intending of a war, if not within the clause of levying war in the statute of 25 Edw. III. yet, within the first treason of compassing the death of the king.

3. If neither of these two single acts be within the statute of 25. Edw. III. yet, upon putting all together, which hath been proved against him, that there is a treason within the first clause of compassing the death of the king:

Et, si non prosunt singula, juncta juvant.

4. That he hath assessed and laid soldiers upon the subjects of Ireland against their will, and at their charge, within the Irish statute of 18. Hen. VI. That both person and thing are within the statute, that the statute remains in force to this day, that the parliament here hath cognisance of it, and that even in the ordinary way of judicature;

that, if there be a treason and a traitor, the want of jurisdiction, in the judicial way, may justly be supplied by bill.

5. That his endeavouring to subvert the fundamental laws and government of the realms of England and Ireland, and, instead thereof, to introduce a tyrannical government against law, is treason by the common law. That treasons at the common law are not taken away by the statutes of 25 Edw. III. 1 Hen. IV. cap. x. 1 Mar. cap. 1, nor any of them.

6. That, as this case stands, it is just and necessary to resort to the supreme power in parliament, in case all the rest should fail.

Of these six, five of them are treason, within the compass of the laws already established; three within the statute of 25 Edw. III. one within the Irish statute, the other by the common law of England.

If but any one of these six considerations hold, the commons conceive that, upon the whole matter, they had good cause to pass the bill.

The case, 1. My lords, for the first of levying war, I shall make bold to read the case to your lordships before I speak to it; it is thus:

The earl did by warrant under his hand and seal give authority to Robert Savill, a serjeant at arms, and his deputies, to sess such a number of soldiers, horse and foot, of the army in Ireland, together with an officer, as the serjeant should think fit, upon his Majesty's subjects of Ireland against their will: This warrant was granted by the earl, to the end to compel the subjects of Ireland to submit to the unlawful summons and orders made by the earl upon paper petitions exhibited unto him, in case of private interest between party and party; this warrant was executed by Savill and his deputies, by sessing of soldiers, both horse and foot, upon divers of the subjects of Ireland, again their will, in a warlike manner; and at divers times the soldiers continued upon the parties upon whom they were sesssed, and wasted their goods, until such time as they had submitted themselves unto those summons and orders.

My lords, this is a levying of war within the statute of 25 Edw. III. The words of the statute are, 'If any man do levy war against our lord the king in his realm,' this is declared to be treason.

I shall endeavour in this to make it appear to your lordships,

1. What shall be a levying of war, in respect of the motive or cause of it.

2. What shall be said a levying of war, in respect of the action or thing done.

3. And, in the third place, I shall apply them to the present case.

It will be granted in this of levying of war, that forces may be raised, and likewise used, in a warlike manner, and yet no levying of war within the statute, that is, when the forces are raised and employed upon private ends either of revenge or interest.

Before this statute in Edw. I's time, the title of a castle was in difference between the Earls of Hereford and Gloucester; for the maintaining of the possession on the one side, and gaining of it on the other, forces were raised on either side of many hundred men; they marched with banners displayed one against the other. In the parlia

ment in the twentieth year of Edw. I. this was adjudged only trespass, and either of the earls fined a thousand marks a-piece.

After the statute in Hilary term, the fiftieth year of Edward the Third, in the King's-bench, Rot. 3. Nicholas Huntercome, in a warlike manner, with forty men armed, amongst other weapons, with guns, so ancient as appears by that record they were, did much spoil in the mannor of the abbey of Dorchester, in the county of Oxford: This was no treason: So it hath been held by the judges, that, if one or more townships, upon pretence of saving their commons, do, in a forcible and warlike manner, throw in inclosures; this is only a riot, no treason.

The words of the statute of 25 Edw. III. clear this point, that if any man ride armed openly or secretly with men at arms against any other to kill and rob, or to detain him until he hath made fine and ransom for his deliverance; this is declared not to be treason, but felony or trespass, as the case shall require; all the printed statutes which have it 'covertly or secretly' are misprinted; for the words in the parliament roll, as appears in num. 17, are *discovertainment ou secretement*, openly or secretly.

So that, my lords, in this of levying war, the act is not so much to be considered, but, as in all other treasons and felonies, *quo animo*, with what intent and purpose.

Object. My lords, if the end be considerable in levying war, it may be said, that it cannot be a treason war, unless against the king: For the words of the statute are, 'If any man levy war against the King.'

Answ. That these words extend further than to the person of the king appears by the words of the statute, which in the beginning declare it to be treason to compass and imagine the king's death, and, after other treasons, this is to be declared to be treason, to levy war against the king. If the levying of war extend no further than to the person of the king, these words of the statute are to no purpose, for then the first treason of compassing the king's death had fully included it before, because that he, which levies war against the person of the king, doth necessarily compass his death.

It is a war against the king, when intended for alteration of the laws or government in any part of them, or to destroy any of the great officers of the kingdom. This is a levying of war against the king.

1. Because the king doth protect and maintain the laws in every part of them, and the great officers to whose care he hath in his own stead delegated the execution of them.

2. Because they are the king's laws. He is the fountain from whence, in their several channels, they are derived to the subject; all our indictments run thus, Trespasses laid to be done, *Contra pacem Domini Regis*, the king's peace, for exorbitant offences, though not intended against the king's person, against the king's crown and dignity.

My lords, this construction is made good by divers authorities of great weight, ever since the statute of 25 Edw. III. downwards.

In Richard the Second's time, Sir Thomas Talbot conspired the death of the Dukes of Gloucester and Lancaster, and some other of

the peers; for the effecting of it, he had caused divers people in the county of Chester to be armed in a warlike manner, in assemblies. In the parliament held the seventeenth year of Richard the Second, number the 20th, Sir Thomas Talbot was accused of high treason for this; it is there declared, that, insomuch as one of them was lord high steward of England, and the other high constable of England, that this was done in destruction of the estates of the realm, and of the laws of the kingdom; and therefore adjudged treason; and the judgment sent down into the King's-Bench, as appears, Easter term in the seventh year of Richard the Second, in the King's-Bench, Rot. 16. These two lords had appeared in the eleventh year of Richard the Second, in maintenance of the act of parliament made the year before; one of them was of the commissioners appointed by parliament, and one of the appellors of those that would have overthrown it: The Duke of Lancaster likewise was one of the lords that was to have been indicted of treason for endeavouring the maintenance of it, and therefore conspiring of their deaths is said to be in destruction of the laws; this is there declared to be a treason that concerned the person of the king and the commonwealth.

In that great insurrection of the villains and meaner people, in Richard the Second's time, they took an oath, *Quod Regi et Communibus fidelitatem servarent*, to be true to the king and commons, that they would take nothing but what they paid for, and punished all theft with death; here is no intendment against the person of the king, the intent was to abolish the law of villainage and servitude, to burn all the records, and to kill the judges; this, in the parliament of the fifth year of Richard the Second, numbers the one and thirtieth and two and thirtieth, the first part, is declared to be treason against the king and against the law.

In the eleventh year of Richard the Second, in parliament, the raising of forces against the commissioners appointed by act of parliament, the year before, was adjudged treason by all the Judges.

The statute of 1 Mar. Cap. xii. enacts, that, if twelve or more shall endeavour by force to alter any of the laws and statutes of the kingdom, they shall, from such a time there limited, be adjudged only as felons; this act was to continue but to the next parliament; it is expired; it shews by the word *only*, that the offence was higher before the making of it.

My lords, in queen Elisabeth's time, Grant and divers apprentices of London, to the number of two-hundred, rose and assembled at Tower-hill, and carried a cloke upon a pole instead of a banner; their intent was to deliver divers apprentices out of prison, that had been committed upon a sentence in the Star-chamber for riots, to kill the Lord Mayor of London, and for setting prices on victuals. In Trinity Term, 27 Elis. divers of the judges were consulted withal, and resolved that this was a levying of war against the queen, being intended against the government and officers of the queen, and thereupon Grant and others were executed as traitors.

Afterwards, in that queen's time, divers of the county of Oxford consulted together, to go from house to house in that county, and thence

to London, and other parts, to excite them to take arms, for the throwing in of all inclosures throughout England; nothing was done, nor no assembly. The statute of 13 Elis. cap. i. during the queen's life, made it treason to intend or advise to levy war against the queen.

In Easter Term, 39 Elis. all the judges of England met about the case. It was resolved by them, that this was a war intended against the queen: they agreed, that, if it had been of one township, or more, upon private interest and claim of right of common, it had not been treason; but this was to throw in all inclosures through the kingdom, whereto these parties could pretend no claim; that it was against the law, in regard that the statute of Merton gave power of inclosures in many cases. Upon this resolution, Bradshaw and Burton were executed at Aynestow-hill in Oxfordshire, the place where they intended their first meeting.

So that, my lords, if the end of it be to overthrow any of the statutes, any part of the law and settled government, or any of the great officers intrusted with execution of them; this is a war against the king.

My lords, it will be further considerable, what shall be accounted a levying of war in respect of the actions and things done. There is a design to alter some part of the laws and present government: for the effecting thereof people are provided with arms, and gathered together into troops, but afterwards march not with banners displayed, nor do *bellum percutere*: Whether the arming themselves and gathering together upon this design, whether this be a war, or such prosecution of the design with force, as makes it treason within the statute?

First, If this be not a war, in respect that it necessarily occasions hostile preparations on the other side?

Secondly, From the words of the statute shall levy war, and be thereof probably attainted of open deed by people of their condition, although the bare conspiring be not an open deed, yet whether the arming and drawing men together be not an open declaration of war?

In Sir Thomas Talbot's case, before cited, in the seventeenth year of Richard the Second, the acts of force are expressed in the parliament roll: That he caused divers of the people of the county of Chester to be armed in a warlike manner in assemblies; here is no marching, no banners displayed.

In the eighth year of Henry the eighth, William Bell and Thomas Lacy in Com' Cant. conspired with Thomas Cheney, called the Hermit of the queen of fairies, to overthrow the laws and customs of the realm; and, for the effecting of it, they, with two-hundred more, met together, and concluded upon a course of raising greater forces in the county of Kent, and the adjacent shires; this was adjudged treason; these were open acts.

My lords, for the application of both these to the case in question:

First, in respect of the end of it, here was a war against the king: it was to subvert the laws; this being the design, for the effecting of it, he assumed to his own person an arbitrary power over the lives, liberties, and estates of his majesty's subjects, and determined causes upon paper petitions at his own will and pleasure, obedience must be forced by the army; this is declared by the warrant.

My lords, if it be said, That the warrant expresseth not any intent of subverting the laws, it expresseth fully one of the principal means whereby this was to be done, that is, obedience to his arbitrary orders upon paper petitions; this was done in reference to the main design.

In the cases of the town of Cambridge and Sir William Cogan, that have formerly been cited to your lordships, upon other occasions, the things in themselves were not treason, they were not a levying of war.

In that of Cambridge, the town met together, and, in a forcible manner, broke up the university treasury, and took out of it the records and evidence of the liberties of the university over the town.

In the other, they of Bridgewater marched to the hospital, and compelled the master of the hospital to deliver unto them certain evidences that concerned the town, and forced him to enter into a bond of two hundred pounds.

These, if done upon these private ends alone, had not been treason, as appears by the very words of the statute of 25 Edw. III. before-mentioned of marching openly or secretly.

But, my lords, these of Cambridge and Bridgewater, they were of the conspiracy with the villains, as appears in the parliament roll of the first year of Richard the Second, number the one and thirtieth, and two and thirtieth, where the towns of Cambridge and Bridgewater are expressly excepted out of the general pardon made to the villains. This being done in reference to that design of the villains, of altering the laws; this was that which made it treason.

If the design went no further than the forcing obedience to these paper orders made by himself, it was sufficient, it was to subvert one fundamental part of the laws; nay, in effect, the whole law. What use of law, if he might order, and determine, of men's estates at his own pleasure? This was against the law notoriously declared in Ireland.

In the close roll in the Tower, in the five and twentieth year of Edw. I. a writ went to the justices in Ireland (that kingdom at that time was governed by justices) declaring, that upon petitions they were not to determine any titles between party and party, upon any pretence of profit whatsoever to the king.

In the eight and twentieth year of Henry the Sixth, the second chapter, suits in equity, not before the deputy but in chancery; suits at common law, not before him, but in cases of life in the king's-bench; for title of land or goods, in the proper courts of the common-pleas or king's-bench.

This declared in the instructions for Ireland in the latter end of king James's time, and by the proclamation in his majesty's time, my lord took notice of them, and called the commissioners narrow-hearted commissioners.

The law said, he should not thus proceed in subversion of it; he saith, he will, and will force obedience by the army. This is as much in respect of the end, as to endeavour the overthrow of the statutes of labourers, of victuals, or of Merton for inclosures. Here is a war against the king, in respect of the end.

2. In respect of the actions, Whether there be either a levying of war, or an open deed, or both?

My lords, there was an army in Ireland at that time of two-thousand horse and foot; by this warrant there is a full designation of this whole army, and an assignment of it over unto Savill for this purpose. The warrant gives him power, from time to time, to take as many soldiers, horse and foot, with an officer, throughout the whole army, as himself shall please; here is the terror and awe of the whole army to force obedience. My lords, if the earl had armed two thousand men, horse and foot, and formed them into companies to this end, your lordships would have conceived that this had been a war; it is as much as in the case of Sir Thomas Talbot, who armed them in assemblies.

This is the same with a breach of trust added to it. That army was first raised, and afterwards committed to his trust for defence of the people, but is now destined by him to their destruction. This assignation of the army, by his warrant under his hand and seal, is an open act.

My lords, here is not only an open act done, but a levying of war; soldiers both horse and foot, with an officer, in a warlike manner sessed upon the subject, which killed their cattle, consumed and wasted their goods.

Obj. O, but five or six were the most employed at any time; a mighty war of six men, scarce a riot.

Ans. Your lordships observe a great difference where six single men go upon a design alone, and when sent from an army of six-hundred, all engaged in the same service; so many were sent as were sufficient to execute the command; if upon a poor man fewer, more upon a rich; if the six had not been able, the whole army must make it good: The reason that the sheriff goes alone, or but with one bailiff, to do execution, is, because he hath the command of the law, the king's writ, and the *posse comitatus*, in case of resistance; here is the warrant of the general of an army, here is the *posse exercitus*, the power of the army; under this awe of the whole army, six may force more than sixty without it; and although never above six in one place, yet in the several parts of the kingdom at the same time might be above sixty; for sassing of soldiers was frequent, it was the ordinary course for execution of his orders.

The lord lieutenant of a county in England hath a design to alter the laws and government; nay, admit the design goes not so high, he only declares thus much, that he will order the freeholds and the estates of the inhabitants of the county at his own will and pleasure, and doth accordingly proceed upon paper petitions, foreseeing there will be disobedience; he grants out warrants under his hand and seal to the deputy-lieutenants and captains of the train-bands, that, upon refusal, they shall take such numbers of the train-bands through the county, with officers, as they shall think good, and lay them upon the lands and houses of the refusers; soldiers in a warlike manner are frequently sessed upon them accordingly. Your lordships do conceive that this is a levying of war within the statute.

The case in question goes further in these two respects:

1. That it is more against the declared law in Ireland, not only against the common law, but likewise against the statute of the eight and twentieth year of Henry the Sixth, against the acts of the commissioners, against proclamations in pursuance of the law, against that himself took notice of, narrow-hearted commissioners.

2. In this that here was an army, the soldiers soldiers by profession, acts of hostility, from them, of greater terror than from free-holders of the same county.

My lords, I have now done with the first, of levying war.

The second is the machination, the advising of a war. The case in this rests upon the warrant to Savill, and the advice in the twenty-third article.

The warrant shews a resolution of employing the old army of Ireland, to the oppression of his majesty's subjects and the laws.

In the twenty-third article having told his majesty, that he was loosed and absolved from rules of government, and might do every thing which power might admit, he proceeded further in speech to his majesty in these words: You have an army in Ireland you may employ to reduce this kingdom.

My lords, both being put together, there is a machination, a practice, an advice to levy war, and by force to oppress and destroy his majesty's subjects.

Obj. It hath been said the statute of the twenty-fifth of Edward the Third is a penal law, and cannot be taken by equity and construction, there must be an actual war. The statute makes it treason to counterfeit the coin; the conspiring, the raising of furnaces, is no treason, unless he doth *nummum percutere*, actually coin.

Ans. My lords, this is only said, not proved; the law is otherwise, 19 Henry VI. fol. 47, there adjudged, That the conspiring and aiding to counterfeit coin was treason; and justice Stamford, fol. 3, and 44, is of opinion, That this or conspiring to counterfeit the great seal is treason. The statute is, If any shall counterfeit the great seal, conspiring to do it by the book, it is treason; if a man take the broad seal from one patent, and put it to another, here is he counterfeiting, it is tantamount, and therefore treason, as is adjudged in 2 Henry IV. fol. 25, and by the opinion of Stamford.

If machination, or plotting a war, be not within that clause of the statute of levying war, yet it is within the first of compassing the death of the king, as that which necessarily tends to the destruction both of the king and of the people, upon whose safety and protection he is to engage himself. That this is treason, hath been adjudged both after the statutes of the first of 1 Henry IV. cap. x, and 1 Mary, cap. i, so much insisted upon on the other side. In the third year of king Henry the Fourth, one Balshall, coming from London, found one Bernard at plough, in the parish of Offley, in the county of Hertford. Bernard asked Balshall, what news? He told him the news was, that King Richard the Second was alive in Scotland (which was false, for he was then dead) and that by Midsummer next he would come into England. Bernard asked him, what was best to be done? Balshall answered, get men, and go to King Richard. In Michaelmas term, in the third

year of Henry the Fourth, in the King's-bench, rot. 4. this advice of war was adjudged treason.

In Queen Mary's time, Sir Nicholas Throckmorton conspired with Sir Thomas Wyat, to levy war within this realm for alteration in religion; he joined not with him in the execution. This conspiracy alone was declared to be treason by the judges. This was after the statute of the first of Queen Mary, so much insisted upon. That parliament ended in October, this opinion was delivered the Easter-term after, and is reported by Justice Dyer, fol. 98. It is true, Sir Thomas Wyat afterwards did levy war, Sir Nicholas Throgmorton he only conspired, this was adjudged treason.

Story, in Queen Elisabeth's time, practised with foreigners to levy war within the kingdom; nothing was done in pursuance of the practice. The intent, without any adhering to enemies of the queen, or other cause, was adjudged to be treason, and he executed thereupon. It is true, my lords, that year, 13 Elisabeth, by act of parliament, it is made treason to intend the levying of war; this case was adjudged before the parliament. The case was adjudged in Hilary-term, the parliament began not until the April following. This, my lords, is a case adjudged in point, that the practising to levy war, though nothing be done in execution of it, is treason.

Object. 3. It may be objected, that, in these cases, the conspiring being against the whole kingdom included the queen, and was a compassing her destruction, as well as of the kingdom's; here the advice was to the king.

Ans. 1. The answer is, first, that the warrant was unknown to his majesty, that there was a machination of war against the people and laws, wherein his majesty's person was engaged for protection.

2. That the advice was to his majesty, aggravates the offence; it was an attempt not only upon the kingdom, but upon the sacred person, and his office too; himself was *hostis patriæ*, he would have made the father of it so too; nothing more unnatural; more dangerous; to offer the king poison to drink, telling him that it is a cordial, is a compassing of his death. The poison was repelled, there was an antidote within, the malice of the giver beyond expression. The persuading of foreigners to invade the kingdom holds no proportion with this. Machination of war against the laws, or kingdom, is against the king, they cannot be severed.

The third general head.

My lords, if no actual war within the statute, if the counselling of a war, if neither of these single acts be treason within statute; the commons, in the next place, have taken it into their consideration, what the addition of his other words, counsels, and actions, do operate in the case, and have conceived, that, with this addition, all being put together, he is brought within the statute of 25 Edward III.

The words of the statute are, If any man shall compass or imagine the death of the king; the words are not, If any man shall plot or consult the death of the king; no, my lords, they go further than to such things as are intended immediately, directly, and determinatively

against the life and person of the king, they are of larger extent; to compass is to do by circuit, to consult or practise another thing directly, which, being done, may necessarily produce this effect.

However it be in the other treasons within this statute, yet in this, by the very words, there is room left for constructions, for necessary inferences and consequences.

What hath been the judgment and practice of former times concerning these words, of compassing the king's death, will appear to your lordships by some cases of attainders upon these words.

One Owen, in King James's time, in the thirteenth year of his reign, at Sandwich in Kent, spoke these words: 'That King James, being excommunicated by the pope, may be killed by any man: which killing is no murder.' Being asked, by those he spoke to, How he durst maintain so bloody an assertion? He answered, That the matter was not so heinous as was supposed; for the king, who is the lesser, is concluded by the pope, who is the greater; and, as a malefactor, being condemned before a temporal judge, may be delivered over to be executed, so the king, standing convicted by the Pope's sentence of excommunication, may justly be slaughtered without fault, for the killing of the king is the execution of the Pope's supreme sentence, as the other is the execution of the law. For this, judgment of high-treason was given against him, and execution done.

My lords, here is no clear intent appearing, that Owen desired the thing should be done, only arguments, that it might be done; This is a compassing; there is a clear endeavour to corrupt the judgment, to take off the bonds of conscience, the greatest security of the king's life, God forbid, saith one of better judgment than he, that I should stretch out my hand against the Lord's anointed. No, saith he, the lord doth not forbid it; you may, for these reasons, lawfully kill the king.

He, that denies the title to the crown, and plots the means of setting it upon another head, may do this without any direct or immediate desiring the death of him that then wears it; yet this is treason, as was adjudged, in 10 Henry VII. in the case of Burton, and in the Duke of Norfolk's case, 13 Elis.

This is a compassing of his death, for there can no more be two kings in one kingdom, than two suns in the firmament; he, that conceives a title, counts it worth venturing for, though it cost him his life; he, that is in possession, thinks it as well worth the keeping. John Sparhawke, in King Henry the Fourth's Time, meeting two men upon the way, among other talk, said, That the king was not rightful king, but the Earl of March; and that the pope would grant indulgences to all that would assist the earl's title; and that, within half a year, there would be no liveries, nor cognisances of the king; that the king had not kept promise with the people, but had laid taxes upon them. In Easter-term, in the third year of Henry the Fourth, in the king's-bench, rot. 12. this was adjudged treason. This denying the title with motives, though but implicitly, of action against it, was adjudged treason; this is a compassing the king's death.

How this was a compassing the king's death is declared in the reasons of the judgment: That the words were spoken with an intent to with-

draw the affections of the people from the king, and to excite them against the king, that in the end they might rise up against him, *in mortem et destructionem* of the king.

My lords, in this judgment, and others, which I shall cite to your lordships, it appears, that it is a compassing the king's death by words, to endeavour to draw the people's hearts from the king, to set discord between the king and them, whereby the people should leave the king, and should rise up against him, to the death and destruction of the king.

The cases, that I shall cite, prove not only that this is treason, but what is sufficient evidence to make this good.

Upon a commission held the eighteenth year of Edward the Fourth, in Kent, before the Marquis of Dorset, and others, an indictment was preferred against John Atwater, of high-treason, in the form before-mentioned, for words which are entered in the indictment, *sub hac forma*, That he had been servant to the Earl of Warwick; that, though he was dead, the Earl of Oxford was alive, and should have the government of part of the country; that Edward, whom you call King of England, was a false man, and had, by art and subtlety, slain the Earl of Warwick, and the Duke of Clarence his brother, without any cause, who, before, had been both of them attainted of high treason.

My lords, this indictment was returned into the king's-bench in Trinity term, in the eighteenth year of Edward the Fourth; and in Easter term, in the twenty-second year of Edward the Fourth, he was outlawed; by the stay of the outlawry so long, it seems, the judges had well advised before, whether it was treason or not.

At the same session, Thomas Heber was indicted of treason for these words, That the last parliament was the most simple and insufficient parliament that ever had been in England: that the king was gone to live in Kent, because that, for the present, he had not the love of the citizens of London, nor should he have it for the future: that, if the Bishop of Bath and Wells was dead, the Archbishop of Canterbury, being Cardinal of England, would immediately lose his head. This indictment was returned into the king's-bench in Trinity term, in the eighteenth year of Edward the Fourth. Afterwards, there came a privy seal to the judges to respite the proceedings, which, as it should seem, was, to the intent, the judges might advise of the case, for afterwards he is outlawed of high treason upon this indictment.

These words were thought sufficient evidence to prove these several indictments, that they were spoken to withdraw the people's affection from the king, to excite them against him, to cause risings against him by the people, *in mortem et destructionem* of the king.

Your lordships are pleased to consider, that, in all these cases, the treason was for words only, words by private persons, and, in a more private manner, but once spoken and no more, only amongst the people, to excite them against the king.

My lords, here are words, counsels more than words, and actions too, not only to disaffect the people to the king, but the king likewise towards the people; not once, but often; not in private, but in places

most publick ; not by a private person, but by a counsellor of state, a lord lieutenant, a lord president, a lord deputy of Ireland.

1. To his Majesty, 'That the parliament had denied to supply him;' a slander upon all the commons of England, in their affections to the king and kingdom, in refusing to yield timely supplies for the necessities of the king and kingdom.

2. From thence, 'That the king was loosed and absolved from rules of government, and was to do every thing that power would admit.' My lords, more cannot be said, they cannot be aggravated, whatever I should say would be in diminution.

3. Thence, 'You have an army in Ireland you may employ to reduce this kingdom.'

To counsel a king not to love his people, is very unnatural; it goes higher to hate them, to malice them in his heart; the highest expressions of malice, to destroy them by war: these coals they were cast upon his Majesty, they were blown, they could not kindle in that breast.

Thence, my lords, having done the utmost to the king, he goes to the people. At York, the country being met together for justice, at the open assizes upon the bench, he tells them, speaking of the justices of the peace, 'That they were all for law, nothing but law, but they should find, that the king's little finger should be heavier than the loins of the law.'

They shall find, my lords, who speaks this to the people? a privy-counsellor: this must be either to traduce his Majesty to the people, as spoken from him, or from himself, who was lord lieutenant of the country, and president, intrusted with the forces, and justice of those parts, that he would employ both this way; add, my lords, to his words there, the exercising of an arbitrary and vast jurisdiction, before he had so much as instructions, or colour of warrant.

Thence, we carry him into Ireland; there he represented, by his place, the sacred person of his Majesty.

1. There, at Dublin, the principal city of that kingdom, whither the subjects of that country came for justice, in an assembly of peers, and others of greatest rank, upon occasion of a speech of the recorder of that city, touching their franchises and legal rights, he tells them, 'That Ireland was a conquered nation, and that the king might do with them what he pleased.'

2. Not long after, in the parliament of 10 Car. in the chair of state, in full parliament, again, 'That they were a conquered nation, and that they were to expect laws as from a conqueror; *before*, the king might do with them what he would; *now*, they were to expect it, that he would put this power of a conqueror in execution.' The circumstances are very considerable, in full parliament, from himself in Cathedrâ, to the representative body of the whole kingdom.

The occasion adds much, when they desire the benefit of the laws, and that their causes and suits might be determined according to law, and not by himself, at his will and pleasure, upon paper petitions.

3. Upon like occasion of pressing the laws and statutes, 'That he would make an act of council board, in that kingdom, as binding as an act of parliament.'

4. He made his words good by his actions, assumed and exercised a boundless and lawless jurisdiction over the lives, persons, and estates of his Majesty's subjects; procured judgment of death against a peer of that realm, and commanded another to be hanged: this was accordingly executed, both in times of high peace, without any process, or colour of law.

5. By force, for a long time, he seized the yarn and flax of the subjects, to the starving and undoing of many thousands; besides the tobacco business, and many monopolies and unlawful taxes, he forced a new oath not to dispute his Majesty's royal commands, determined men's estates at his own will and pleasure upon paper petitions to himself, and forced obedience to these, not only by fines and imprisonment, but likewise by the army, assessing soldiers upon the refusers in a hostile manner.

6. Was an incendiary of the war between the two kingdoms of England and Scotland.

My lords, we shall leave it to your lordships judgments, whether these words, counsels, and actions, would not have been a sufficient evidence to have proved an indictment drawn up against him, as those beforementioned, and many others are; that they were spoken, and done, to the intent to withdraw the king's heart from the people, and the affections of the people from the king, that they might leave the king, and afterwards rise up in judgment against him to the destruction of the king? If so, here is a compassing of the king's death within the words of the statute of 25 Edward III, and that warranted by many former judgments.

The Fourth general Head.

My lords, I have now done with the three treasons within the statute of 25 Edward III. I proceed to the fourth, upon the statute of 18 Hen. VI, cap. 3, in Ireland; I shall make bold to read the words to your lordships:

'That no lord, nor any other, of what condition soever he be, shall bring, or lead hoblers, kerves, or hooded men, nor any other people, nor horses, to lie on horseback, or on foot, upon the king's subjects, without their good will and consent, but upon their own costs, and without doing hurt to the commons; and, if any so do, he shall be judged as a traitor.'

1. The argument that hath been made concerning the person, that it extends not to the king, and therefore not to him, weighs nothing with your lordships *Rex non habet in regno parem*; from the greatness of his office to argue himself into the same impossibility with his sacred Majesty of being incapable of high treason, it is an offence, no reason; the words in the statute, No lord, nor any other, of what condition soever he be, includes every subject.

In Trinity term, in the thirty-third year of Henry the Eighth, in the king's-bench, Leonard Lord Gray, having immediately before been lord deputy of Ireland, is attainted of high treason, and judgment given against him, for letting divers rebels out of the castle of Dublin, discharging Irish hostages and pledges that had been given for securing the peace, and for not punishing one that said the King was an heretick. I have read the whole record, there is not one thing laid to his charge, but was done by him as lord lieutenant; he had the same plea with my Lord of Strafford, that these things were no adhering to the king's enemies, but were done for reasons of state: that he was not within those words of the statute of 25 Edw. III, himself being lord lieutenant there; but they cost his life.

Obj. 2. It hath been said, that the soldiers, assessed upon the subjects by him, were not such persons as are intended by that statute, hoblers, kerves, and hooded men, these rascally people.

Ans. My lords, they were the names given to the soldiery of those times, hoblers, horsemen, the other the foot; but the words of the statute go further, nor any other people, neither horse nor foot; his lordship assessed upon them both horse and foot.

Obj. 3. The statute extends only to them that lead or bring; Savill led them, my lord only gave the warrant.

Ans. To that I shall say only thus, *Plus peccat author quam actor*; by the rule of law, *agentes et consentientes pari plectuntur pœnâ*; if consent, much more a command to do it, makes the commander a traitor. If there be any treason within this statute, my Lord of Strafford is guilty.

Obj. 4. It hath been therefore said, that this statute, like Goliath's sword, hath been wrapped up in a cloth, and laid behind the door; that it hath never been put in execution.

Ans. My Lords, if the clerk of the crown in Ireland had certified your Lordships, that, upon search of the judgments of attainders in Ireland, he could not find, that any man had been attainted upon the statute, your lordships had had some ground to believe it, yet it is only my Lord of Strafford's affirmation. Besides, your Lordships know that an act of parliament binds, until it be repealed.

It hath been therefore said, that this statute is repealed by the statutes, 8 Edw. IV, the first chapter; and 10 Henry VII, the twenty-second chapter; because, by these two statutes, the English statutes are brought into Ireland.

The argument, if I mistook it not, stood thus: that the statute, 1 Hen. IV, the tenth chapter, saith, that, in no time to come, treason shall be adjudged otherwise, than it was ordained by the statute 25 Edw. III: that the treason mentioned, 18 Hen. VI, in the Irish statute, is not contained in the statute, 25 Edw. III, and therefore, being contrary to the statute, 1 Hen. IV, it must needs be void.

My Lords, the difference of the times, wherein the statute, 1 Henry IV, and that of 18 Hen. VI, were made, clears the point, as is humbly conceived; that of Henry the Sixth was made forty years after the other.

The statute, 8 Edw. IV, and 10 Hen. VII, bringing in the English

statutes in order and series of time, as they were made one after another, as afterwards is proved, they did, it cannot be that the statute, 1 Henry IV, made forty years before, should repeal or make void the statute, 18 Hen. VI, made so long after. The rule of law is that, *Leges posteriores priores abrogant*, that latter laws repeal former; but, by this construction, a former law should repeal and make void a *Non ens*, a statute that then was not.

If this were law, then all the statutes that made any new treason, after the first year of Henry the Fourth, were void in the very fabrick, and at the time when they were made; hence likewise it would follow, that the parliament now, upon what occasion soever, hath no power to make any thing treason, not declared to be so, in the statute, 25 Edw.

III. This, your Lordships easily see, would make much for my Lord of Strafford's advantage; but, why the law should be so, your lordships, as yet, have only heard an affirmation of it, no reason.

But some touch was given that this statute, 10 Henry VII, in words makes all the Irish statutes void, which are contrary to the English. The answer to this is a denial, that there are any such words in the statute: this statute declares, that the English statutes shall be effectual and confirmed in Ireland, and that all statutes, before time, made to the contrary, shall be revoked; this repeals only the Irish statutes, 10 Hen. IV. and 29 Hen. VI, which say, that the English statutes shall not be in force in Ireland, unless particularly received in parliament; it makes all the Irish statutes void, which say that the English statutes shall not be in force there.

It is usual, when a statute saith, that such a thing shall be done or not done, to add further, that all statutes, to the contrary, shall be void.

It is not likely, that this statute intended to take away any statute of treason; when, but in the chapter next before this, murder there is made treason, as if done upon the king's person.

That this statute, 18 Hen. VI, remains on foot, and not repealed, either by the statute 8 Edw. IV. or this, 10 Hen. VII, appears expressly by two several acts of parliament, made at the same parliament of the tenth year of Henry the Seventh.

By an act of parliament, in Henry the Sixth's time, in Ireland it was made treason for any man to procure a privy seal, or any other command whatsoever, for apprehending any person in Ireland, for treason done without that kingdom, and to put any such command in execution; divers had been attainted of treason for executing such commands: here is a treason, so made by act of parliament, in Henry the Sixth's time: in the third chapter of this parliament of the tenth of Henry the Seventh, an act is passed for no other end, than to repeal this statute of Henry the Sixth of treason.

If this statute of Henry the Sixth of treason had been formerly repealed by the statute of 8 Edw. IV, or then by the two and twentieth chapter of this parliament of 10 Hen. VII, by bringing in the English statutes, the law-makers were much mistaken now to make a particular act of parliament to repeal it, it being likewise so unreasonable an act as it was.

In the eighth chapter of this parliament, of the tenth of Henry the Seventh, it is enacted, that the statutes of Kilkenny, and all other statutes made in Ireland, two only excepted, whereof this of the eighteenth of Henry the Sixth is none, for the commonwealth shall be enquired of, and executed. My Lord of Strafford saith, that the bringing in of the English statutes hath repealed this statute, 18 Hen. VI; the act of parliament, made the same time, saith no; it saith that all the Irish statutes, excepting two, whereof this is none, shall still be in force.

Object. Oh! but, however it was in the tenth of Henry the Seventh, yet it appeareth by judgment in parliament afterwards, that this statute of 18 Henry VI. is repealed, and that is, by the parliament of the eleventh year of Queen Elisabeth, the seventh chapter: that, by this parliament, it is enacted, that if any man, without license from the lord deputy, lay any soldiers upon the king's subjects; if he be a peer of the realm, he shall forfeit one hundred pounds; if under the degree of a peer, a hundred marks. This statute, as is alledged, declares the penalty of laying soldiers upon the subjects, to be only a hundred pounds, and therefore it is not treason.

Answ. My lords, if the offence, for which this penalty of one hundred pounds is laid upon the offender, be for laying soldiers, or leading them to do any acts offensive, or invasive upon the king's people, the argument hath some force; but that the offence is not for laying soldiers, upon the true subjects, that this is not the offence intended in the statute, will appear to your lordships, *ex absurdo*, from the words of it.

The words are, that, if any man shall assemble the people of the county together, to conclude of peace or war, or shall carry those people to do any acts offensive or invasive, then he shall forfeit one hundred pounds. If concluding of war, and carrying the people to acts invasive, be against the king's subjects, this is high treason, within the words of the statute, 25 Edward III; for if any subject shall assemble the people, and conclude a war, and accordingly shall lead them to invade the subject: this is a levying of war within the words of that statute, and then the statutes, 25 Edward III, 1 Henry IV. and 1 Mary, which the Earl of Strafford, in his answer, desires to be tried by, are as well repealed in this point, as the statute of 18 Henry VI; he might then, without fear of treason, have done what he pleased with the Irish army; for all the statutes of levying war, by this statute 11 Eliz. were taken out of his way.

In Ireland a subject gathers forces, concludes a war against the king's people, and actually invades them; blood-shed, burning of houses, and depredations ensue; two of those, that is, murder and burning of houses, are treason, and there the other felony; by this construction, the punishment of treason and felony is turned only into a fine of one hundred pounds, from loss of life, lands, and all his goods, only to loss of part of his goods.

The third absurdity, a war is concluded, three several inroads are made upon the subjects in the first, a hundred pounds damage; in the second, five thousand pounds damage; in the third, ten thousand

pounds damage is done to the subjects; the penalty for the last inroad is no more than for the first only one hundred pounds. This statute, by this construction, tells any man how to get his living without long labour.

Two parts of the hundred pounds are given to the king, a third part to the informer; here is no damage to the subject, that is robbed and destroyed.

My Lords, the statute will free itself, and the makers of it, from these absurdities.

The meaning of this statute is, that if any captain shall, of his own head, conclude of peace or war against the king's enemies or rebels, or shall upon his own head invade them, without warrant from the king or the lord deputy of Ireland, that then he shall forfeit a hundred pounds.

The offence is not for laying of soldiers upon the king's people, but making of war against the Irish rebels, without warrant; the offence is not in the matter, but in the manner, for doing a thing lawful, but without mission.

1. This will appear by the general scope of the statute, all the parts being put together.
2. By particular clauses in the statute: And
3. By the condition of that kingdom, at the time of the making of that statute.

For the first, the preamble recites, that in time of declination of justice, under pretext of defending the country, and themselves, divers great men arrogated to themselves regal authority under the names of captains; that they acquired to themselves that government, which belonged to the crown; for preventing of this, it is enacted, That no man, dwelling within the Shire Grounds, shall thenceforth assume or take upon himself the authority or name of a captain, within those Shire Grounds, without letters patents from the crown; nor shall, under colour of his captainship, make any demand of the people of any exaction, nor, as a captain, assemble the people of the Shire Grounds; nor, as a captain, shall lead those people to do any acts offensive or invasive, without warrant under the great seal of England, or of the lord deputy, upon penalty that, if he do any thing contrary to that act, then the offender shall forfeit a hundred pounds.

My Lords, the rebels had been out; the courts of justice scarce sat, for defence of the country; divers usurped the place of captains, concluded of war against the rebels, and invaded them without warrant; invading the rebels, without authority, is the crime.

This appears further, by particular clauses in the statute, none shall exercise any captainship, within the Shire Grounds, nor assemble the men of the Shire Grounds to conclude of war, or lead them to any invasion.

That that had anciently been so continued to this time, that is, the

Irish and the English pale; they within the Shire Grounds were within the English pale, and *ad fidem et legem Angliæ*; the Irish, that were without the pale, were enemies always either in open act of hostility, or upon leagues, and hostages given for securing the peace; and therefore, as here in England, we had our marches upon the frontiers in Scotland and Wales, so were there marches between the English and Irish pale, where the inhabitants held their lands by this tenure, to defend the country against the Irish, as appears in the Close Rolls of the tower, in the twentieth year of Edward the Third, Membrana 15, on the back-side; and, in an Irish parliament held the forty-second year of Edward the Third, it is declared, that the English pale was almost destroyed by the Irish enemies, and that there was no way to prevent the danger, but only that the owners reside upon their lands for defence, and that absence should be a forfeiture; this act of parliament, in a great council here, was affirmed, as appears in the Close Roll, the twenty-second year of Edward the Third, Membrana 20 dorso.

Afterwards, as appears in the statute of the eight and twentieth year of Henry the Sixth, in Ireland, this hostility continued between the English marches and the Irish enemies, who, by reason there was no difference between the English marches and them, in their apparel, did, daily, not being known to the English, destroy the English, within the pale: Therefore it is enacted, that every Englishman shall shave the hair of his upper lip, for distinction sake. This hostility continued, till the tenth year of Henry the Seventh, as appears by the statute of the tenth of Henry the Seventh, the seventeenth chapter, and so successively downwards, till the making of this very statute of the eleventh year of Queen Elisabeth, as appears fully in the ninth chapter.

Nay, immediately before, and at the time of the making of this statute, there was not only enmity between those of the Shire Grounds, that is, the English and Irish pale, but open war and acts of hostility, as appears by history of no less authority, than that statute itself; for, in the first chapter of this statute, is the attainder of Shane O'Neale, who had made open war, and was slain in open war. It is there declared, that he had gotten by force all the North of Ireland, for an hundred and twenty miles in length, and above a hundred in breadth; that he had mastered divers places within the English pale; when the flame of this war, by his death immediately before this statute, was spent, yet the firebrands were not all quenched, for the rebellion was continued by John Fitz-Gerard, called the White Knight, and Thomas Queverford; this appears by the statute of 13 Elisabeth in Ireland, but two years after this of 11 Elisabeth, where they are attainted of high treason, for levying war this eleventh year, wherein this statute was made.

So that, my Lords, immediately before, and at the time of the making of this statute, there being war between those of the Shire Grounds, mentioned in this statute, and the Irish, the concluding of war and acts offensive and invasive, there mentioned, can be intended against no others, but the Irish enemies.

Again, the words of the statute are, 'No captain shall assemble the people of the Shire Grounds to conclude of peace or war.' Is it to be

presumed, that those of the Shire Grounds will conclude of war against themselves? Nor, saith the statute, 'shall carry those of the Shire Grounds to do any acts invasive.' By the construction which is made on the other side, they must be carried to fight against themselves.

Lastly, the words are, 'as a captain: None shall assume the name, or authority, of a captain; or, as a captain, shall gather the people together; or, as a captain, lead them.' The offence is not in the matter, but in the manner: If the acts offensive were against the King's good subjects, those that went under command were punishable, as well as the commanders; but, in respect the soldiers knew the service to be good in itself, being against the enemies, and that it was not for them to dispute the authority of their commanders, the penalty of a hundred pounds is laid only upon him, that, as captain, shall assume this power without warrant; the people commanded are not within the statute.

My Lords, the logick, whereupon this argumeat hath been framed, stands thus: Because the statute of the eleventh year of Queen Elisabeth inflicts a penalty of an hundred pounds, and no more, upon any man, that, as a captain without warrant, and upon his own head, shall conclude of, or make war against the King's enemies; therefore the statute of the eighteenth year of Hen. VI. is repealed, which makes it treason to lay soldiers upon, or to levy war against the King's good people.

But, my Lords, observation hath been made upon other words of this statute, that is, that, without licence of the deputy, these things cannot be done. This shews, that the deputy is within none of these statutes.

My Lords, this argument stands upon the same reason with the former: Because he hath the ordering of the army of Ireland, for the defence of the people, and may give warrant to the officers of the army, upon eminent occasions of invasion, to resist or prosecute the enemy, because of the danger that else might ensue forthwith, by staying for a warrant from his Majesty out of England; therefore it is no treason in the deputy to employ the army in Ireland, whensoever he pleaseth, for the subversion of the King's good people, and of the laws.

My Lords, the statute of the tenth year of Henry VII, cap. xvii, touched upon for this purpose, clears the business in both points; for there it is declared, that none ought to make war upon the Irish rebels, and enemies, without warrant from the lieutenant; the forfeiture a hundred pounds, as here; the statute is the same with this, and might as well have been cited for repealing the statute of the eighteenth year of Henry VI, as this of the eleventh year of Queen Elisabeth; but, if this had been insisted upon it, it would have expounded the other two clear against him.

Object. My Lords, it hath been further said, although the statute be in force, and there be a treason within it, yet the parliament hath no jurisdiction; the treasons are committed in Ireland, therefore not triable here.

Answ. My Lords, Sir John Perrot, his predecessor, in the twenty-fourth year of Queen Elisabeth, was tried in the king's-bench for treason

done in Ireland, when he was deputy, and Orucke, in the thirty-third year of Queen Elisabeth, judged here for treason done in Ireland.

Object. But it will be said, these trials were after the statute of the four and thirtieth year of Henry VIII. which enacts, that treasons beyond sea may be tried in England.

Answ. My Lords, his predecessor, my Lord Grey, was tried and adjudged here in the King's Bench, that was in Trinity term, in the three and thirtieth year of Henry the Eighth; this was before the making of that statute.

Object. To this again will be said, That it was for treason by the laws and statutes of England; but this is not for any thing that is treason by the law of England, but by an Irish statute.

So that the question is only, Whether your lordships in parliament here have cognisance of an offence made treason by an Irish statute, in the ordinary way of judicature without bill? For so is the present question.

For the clearing of this, I shall propound two things to your lordships consideration:

1. Whether the rule for expounding the Irish statutes and customs be one and the same in England as in Ireland?

2. That being admitted, Whether the parliaments in England have cognisance or jurisdiction of things there done in respect of the place, because the king's writ runs not there.

For the first, if, in respect of the place, the parliament here hath cognisance there, and, secondly, if the rules for expounding the Irish statutes and customs be the same here as there, this exception, as I humbly conceive, must fall away.

In England there is the common law, the statutes, the acts of parliament, and customs peculiar to certain places differing from the common law; if any question arise concerning either a custom or an act of parliament, the common law of England, the first, the primitive, and the general law, is the rule and expositor of them, and of their several extents; it is so here, it is so in Ireland; the common law of England is the common law of Ireland likewise; the same here and there in all the parts of it.

It was introduced into Ireland by King John, and afterwards by King Henry the Third, by act of parliament, held in England, as appears by the Patent Rolls of King Henry the Third, the first Membrana. The words are, 'Quia pro communi utilitate terræ Hiberniæ, & unitate terrarum Regis, Rex vult, & de communi consilio Regis provisum est, quod omnes leges & consuetudines, quæ in regno Angliæ tenentur, in Hibernia teneantur, & eadem terra eisdem legibus subjaceat & per easdem regatur, sicut Dominus Johannes Rex, cum ultimo esset in Hibernia, statuit, & fieri mandavit. Quia, &c. Rex vult quod omnia brevia de communi jure quæ currunt in Anglia similiter currant in Hibernia sub novo sigillo Regis, mandatum est archiepiscopis, &c. quod, pro pace & tranquillitate ejusdem terræ, per easdem leges eos regi & deduci permittant, & eas in omnibus sequantur. In cujus, &c. Teste Rege, apud Woodstock, decimo nono die Septembris.'

Here is an union of both kingdoms, and that by act of parliament, and the same laws to be used here as there, *in omnibus*.

My Lords, That nothing might be left here for an exception, that is, that in treasons, felonies, and other capital offences concerning life, the Irish laws are not the same as here; therefore it is enacted, in a parliament held in England, in the fourteenth year of Edward II. (it is not in print neither, but is in the parliament book) That the laws concerning life and member shall be the same in Ireland as in England.

And, that no exception might yet remain in England, the fifth year of Edward III. it is enacted, *Quod una & eadem lex fiat tam Hibernicis quam Anglicis*. This act is inrolled in the patent rolls of the fifth year of Edward III. Part 1, Memb. 25.

The Irish therefore receiving their laws from hence, they send their students at law to the inns of courts in England, where they receive their degree; and of them, and of the common lawyers of this kingdom, are the judges made.

The petitions have been many from Ireland, to send from hence some judges more learned in the laws than those they had there.

It hath been frequent, in cases of difficulty there, to send sometimes to the parliament here, sometimes to the king, by advice from the judges here, to send them resolutions of their doubts: Amongst many, I will cite your lordships only one, because it is in a case of treason upon an Irish statute, and therefore full to this point.

By a statute there made in the fifth year of Edward IV, there is provision made for such as upon suggestions are committed to prison for treason, that the party committed, if he can procure twenty-four compurgators, shall be bailed, and let out of prison.

Two citizens of Dublin were by a grand jury presented, to have committed treason; they desired the benefit of this statute, that they might be let out of prison upon tender of their compurgators. The words of the statute, of the fifth year of Edward IV. in Ireland, being obscure, the judges there, not being satisfied what to do, sent the case over to the queen, and desired the opinion of the judges here; which was done accordingly: The judges here sent over their opinion, which I have out of the book of Justice Anderson, one of the judges, consulted withal. The judges here delivered their opinion upon an Irish statute, in case of treason.

If it be objected, That in this case the judges here did not judge upon the party, their opinions were only *ad informandam conscientiam* of the judges in Ireland; that the judgment belonged to the judges there.

My Lords, with submission, this and the other authorities prove that for which they were cited, that is, That no absurdity, nor failure of justice would ensue, if this great judicatory should judge of treason so made by an Irish statute.

The common law, the rule of judging upon an Irish statute, the pleas of the crown for things of life and death, are the same here and there. This is all that hath yet been offered.

For the second point, That England hath no power of judicature

for things done in Ireland; my lords, the constant practice of all ages proves the contrary.

Writs of error in pleas of the crown, as well as in civil causes, have in all kings reigns been brought here, even in the inferior courts of Westminster-hall, upon judgments given in the courts of Ireland: The practice is so frequent, and so well known, that I shall cite none of them to your lordships: No precedent will, I believe, be produced to your lordships, that ever the case was remanded back again into Ireland, because the question rose upon an Irish statute or custom.

Object. But it will be said, That writs of error are only upon a failure of justice in Ireland; and that suits cannot originally be commenced here for things done in Ireland, because the king's writ runs not in Ireland.

Answ. This might be a good plea in the King's Bench, and inferior courts at Westminster-hall; the question is, Whether it be so in parliament? The king's writ runs not within the counties palatine of Chester and Durham, nor within the Cinque Ports; neither did it in Wales, before the union in Henry the Eighth's time; after the laws of England were brought into Wales, in King Edward the First's time, suits were not originally commenced in Westminster-hall, for things done in them, yet this never excluded the parliament. Suits for life, lands, and goods, within those jurisdictions, are determinable in parliament, as well as in any other parts of the realm.

Ireland, as appears by the statute of the thirtieth year of Henry the Third before-mentioned, is united to the crown of England.

By the statute of the twenty-eighth year of Henry the Sixth, in Ireland, it is declared in these words: That Ireland is the proper dominion of England, and united to the crown of England; which crown of England is of itself, and by itself, fully, wholly, and intirely endowed with all power and authority sufficient to yield to the subjects of the same full and plenary remedy, in all debates and suits whatsoever.

By the statute of the twenty-third year of Henry the Eighth, the first chapter, when the Kings of England first assumed the title of King of Ireland, it is there enacted, That Ireland still is to be held, as a crown annexed and united to the crown of England.

So that, by the same reason, from this, That the king's writ runs not in Ireland, it might as well be held, That the parliament cannot originally hold plea of things done within the counties palatine of Chester and Durham, nor within the Cinque Ports and Wales; Ireland is part of the realm of England, as appears by those statutes, as well as any of them.

This is made good by constant practice. In all the parliament rolls, from the first to the last, there are receivers and triers of petitions appointed for Ireland. For the Irish to come so far with their petitions for justice, and the parliament not to have cognisance, when from time to time they had, in the beginning of the parliament, appointed receivers and triers of them, is a thing not to be presumed.

An appeal in Ireland, brought by William Lord Vesey, against John Fitz-Thomas, for treasonable words there spoken, before any judgment

given in the case there, was removed into the parliament in England, and there the defendant acquitted, as appears in the parliament pleas of the twenty-second year of Edward the First.

The suits for lands, offices, and goods, originally begun here, are many; and, if a question grew upon matter of fact, a jury was usually ordered to try it, and the verdict returned into parliament, as in the case of one Balliben, in the parliament of the thirty-fifth year of Edward the First. If doubt arose upon a matter triable by record, a writ went to the officers, in whose custody the record remained, to certify the record, as was in the case of Robert Bagot, the same parliament of the thirty-fifth year of Edward the First, where the writs went to the treasurer and barons of the Exchequer.

Sometimes they gave judgment here in parliament, and commanded the judges there in Ireland to do execution, as in the great case of partition between the copartners of the earl-marshal, in the parliament of the thirty-third year of Edward the First, where the writ was awarded to the treasurer of Ireland.

My Lords, The laws of Ireland were introduced by the parliaments of England, as appears by three acts of parliament before cited.

It is of higher jurisdiction *dare leges*, than to judge by them.

The parliaments of England do bind in Ireland, if Ireland be particularly mentioned, as is resolved in the book-case of the first year of Henry the Seventh, Coke's seventh report, Calvin's case, and by the judges in Trinity term, in the thirty-third year of Queen Elisabeth. The statute of the eighth year of Edward the Fourth, the first chapter, in Ireland, recites, That it was doubted amongst the judges, whether all the English statutes, though not naming Ireland, were in force there; if named, no doubt.

From King Henry the Third's time, downward, to the eighth year of Queen Elisabeth, (by which statute it is made felony to carry sheep from Ireland beyond seas) in almost all these kings reigns there are statutes made concerning Ireland.

The exercising of the legislative power there, over their lives and estates, is higher than of the judicial in question. Until the twenty-ninth year of Edward the Third, erroneous judgments, given in Ireland, were determinable no where but in England; no, not in the parliaments of Ireland, as it appears in the Close Rolls in the Tower, in the twenty-ninth year of Edward the Third, Memb. 12. Power to examine and reverse erroneous judgments in the parliaments of Ireland is granted from hence: Writs of error lie in the parliament here upon erroneous judgments after the time given in the parliaments of Ireland, as appears in the parliament-rolls of the eighth year of Henry the Sixth, Numb. 70, in the case of the prior of Lenthau. It is true, the case is not determined there, for it is the last thing that came into the parliament, and could not be determined, for want of time; but no exception at all is taken to the jurisdiction.

The acts of parliament made in Ireland have been confirmed in the parliaments of England, as appears by the Close Rolls in the Tower, in the forty-second year of Edward the Third, Memb. 20. Dorsò; where the parliament of Ireland, for the preservation of the country from the

Irish, who had almost destroyed it, made an act, That all the land-owners, that were English, should reside upon their lands, or else they were to be forfeited: This was here confirmed.

In the parliament of the fourth year of Henry the Fifth, chap. vi. acts of parliament in Ireland are confirmed, and some privileges of the peers in the parliaments there are regulated.

Power to repeal Irish statutes, power to confirm them, cannot be by the parliament here, if it hath not cognisance of their parliaments, unless it be said, That the parliament may do it knows not what.

Guernsey and Jersey are under the king's subjection, but are not parcels of the crown of England, but of the duchy of Normandy; they are not governed by the laws of England, as Ireland is, and yet parliaments in England have usually held plea of, and determined all causes concerning lands, or goods. In the parliament of 33 Edw. I. there are *Placita de Insula Jernesej*; and so in the parliament of 14 Edw. II. and so for Normandy and Gascoigne; and always, as long as any part of France was in subjection to the crown of England, there were, at the beginning of the parliaments, receivers and triers of petitions for those parts appointed.

My Lords, I believe your lordships will have no cases shewed of any plea to the jurisdiction of the parliaments of England, in any things done in any parts wheresoever in subjection to the crown of England.

The last thing, I shall offer to your lordships, is the case of 19 Elis. in my Lord Dyer, 306, and judge Crompton's book of the Jurisdiction of Courts, fol. 23. The opinion of both these books is, That an Irish Peer is not triable here. It is true, a Scotch or French nobleman is triable here, as a common person; the law takes no notice of their nobility, because those countries are not governed by the laws of England; but, Ireland being governed by the same laws, the peers there are triable, according to the law of England, only *per pares*.

My Lords, by the same reason, the Earl of Strafford, not being a peer of Ireland, is not triable by the peers of Ireland; so that, if he be not triable here, he is triable no-where.

My Lords, in case there be a treason and a traitor within the statute, and he be not triable here for it in the ordinary way of judicature, if that jurisdiction fails, this by way of bill doth not; attainders of treason in parliament are as legal, as usual, by act of parliament, as by judgment.

I have now done with the statutes of 25 Edw. III. and 18 Hen. VI. my Lord of Strafford hath offended against both the kingdoms, and is guilty of high treason by the laws of both.

5. My Lords, in the fifth place I am come to the treasons at the common law, the endeavouring to subvert the fundamental laws and government of the kingdom, and to introduce an arbitrary and tyrannical government.

In this I shall not at all labour to prove, that the endeavouring by words, counsels, and actions, to subvert the laws, is treason at the common law, if there be any common law treasons at all left: Nothing is treason, if not this, to make a kingdom no kingdom: Take the polity and government away, England is but a piece of earth,

wherein so many men have their commorancy and abode, without ranks or distinction of men, without property in any thing further than possession; no law to punish the murthuring or robbing one another.

That of 33 Hen. VIII. of introducing the imperial law, sticks not with your lordships; it was in case of an appeal to Rome: These appeals, in cases of marriages, and other causes counted ecclesiastical, had been frequent, had in most kings reigns been tolerated. Some, in times of popery, put a conscience upon them; the statutes had limited the penalty to a *præmunire* only: Neither was that a total subversion, only an appeal from the ecclesiastical court here in a single cause, to the court at Rome; and, if treason or not, that case proves not: A treason may be punished as a felony, a felony as a trespass, if his majesty so please; the greater includes the lesser. In the case of *præmunire* in the Irish reports, that, which is there declared to be treason, was proceeded upon only as a *præmunire*.

The thing most considerable in this, is, Whether the treasons at common law be taken away by the statute of 25 Edw. III. 1 Hen. IV. or 1 Queen Mary, or any of them?

My Lords, to say they are taken away by the statute of 25 Edw. III. is to speak against both the direct words and scope of that statute.

In it there is this clause, 'That, because many other like cases of treason might fall out, which are not there declared, therefore it is enacted, That, if any such case come before the judges, they shall not proceed to judgment till the case be declared in parliament, whether it ought to be adjudged treason, or not.'

These words and the whole scope of that statute shew, that it was not the meaning to take away any treasons that were so before, but only to regulate the jurisdiction and manner of trial. Those that were single and certain acts, as conspiring the king's death, levying war, counterfeiting the money, or great seal, killing a judge; these are left to the ordinary courts of justice: The others not depending upon single acts, but upon constructions and necessary inferences, they thought it not fit to give the inferior courts so great a latitude here, as too dangerous to the subject; those they restrained to the parliament.

This statute was the great security of the subject, made with such wisdom as all the succeeding ages have approved it: It hath often passed through the furnace, but, like gold, hath lost little or nothing.

The statute of 1 Henry IV. cap. x. is in these words, 'Whereas, in the parliament held the twenty-first year of Richard the Second, divers pains of treasons were ordained, insomuch that no man did know how to behave himself, to do, say, or speak: It is accorded, that, in no time to come, any treason be adjudged otherwise than it was ordained by the statute of 2 Edward III.'

It hath been said, to what end is this statute made, if it takes not away the common law treasons remaining after the statute of 25 Edward III.?

There are two main things which this statute doth: First, it takes away for the future all the treasons made by any statute since 25 Edw. III. to 1 Henry IV. even to that time: For, my lords, in respect that, by another act in that parliament, the statute of 21. Richard II. was

repealed, it will not be denied, but that this statute repeals more treasons than these of 21 Richard II. it repeals all statute treasons but those in 25 Edward III.

Secondly, it not only takes away the statute treasons, but likewise the declared treasons in parliament after 25 Edw. III. as to the future. After declaration in parliament, the inferior courts might judge these treasons; for the declaration of a treason in parliament, after it was made, was sent to the inferior courts, that, *toties quoties* the like case fell out, they might proceed therein: the subject for the future was secured against these; so that this statute was of great use.

By the very words of it, it still refers all treasons to the provision of 25 Edward III. it leaves that intire, and upon its old bottom.

The statute of 1 Q. M. cap. i. saith, 'That no offences, made treason by any act of parliament, shall thenceforth be taken or adjudged to be treason, but only such as be declared and expressed to be treason by the statute of 25 Edward III. concerning treason, or the declaration of treason, and no others.' And further provides, 'That no pains of death, penalty, or forfeiture, in any wise shall ensue for committing any treason, other than such as be in the statute of 25 Edward III. ordained and provided; any acts of parliament, or any declaration, or matter to the contrary in any wise notwithstanding.'

By the first part of this statute, only offences made treason by act of parliament are taken away, the common law treasons are no way touched. The words (and no others) refer still to offences made treason by act of parliament, they restrain not to the treasons only particularly mentioned in the statute of 25 Edward III. but leave that statute intire as to the common law treason, as appears by the words immediately foregoing, or the declaration of treason.

By the second part, for the pains and forfeitures of treasons, if it intend only the punishment of treason, or if it intend both treason and punishment, yet all is referred to the provision and ordinance of 25 Edward III, any act of parliament, or other declaration, or thing notwithstanding.

It saith not, other than such penalties or treasons as are expressed and declared in the statute of 25 Edward III. that might perhaps have restrained it to those that are particularly mentioned: No, it refers all treasons to the general ordination and provision of that statute, wherein the common law treasons are expresly kept on foot.

If it be asked, what good this statute doth, if it take not away the common law treasons?

1. It takes away all the treasons made by act of parliament, not only since the first of Henry IV. which were many, but all before 1 Henry IV. even until 25 Edward III. by express words.

2. By express words it takes away all declared treasons, if any such had been made in parliament: these for the future are likewise taken away; so that, whereas it might have been doubted, whether the statute of 1 Henry IV. took away any treasons but those of 21 and 22 Richard II, this clears it both for treasons made by parliament, or declared in parliament, even to the time of making the statute.

This is of great use, of great security to the subject; so that, as to

what shall be treason, and what not, the statute of 25 Edw. III. remains intire, and so by consequence the treasons at the common law.

Only, my Lords, it may be doubted whether the manner of the parliamentary proceedings be not altered by the statute of 1 Henry IV. cap. xvii. and more fully in the parliament roll, number 144; that is, whether since that statute the parliamentary power of declaration of treasons, whereby the inferior courts received jurisdiction, be not taken away and restrained only to bill, that so it might operate no further than to that particular contained in the bill; that so the parliamentary declarations for after-times should be kept within the parliament itself, and be extended no further. Since 1 Hen. IV. we have not found any such declaration made, but all attainders of treason have been by bill.

If this be so, yet, the common law treasons still remaining, there is one and the same ground of reason and equity since 1 Hen. IV. for passing of a bill of treason, as was before for declaring of it without bill.

Herein the legislative power is not used against my Lord of Strafford in the bill, it is only the jurisdiction of the parliament.

But, my Lords, because that either through my mistaking of the true grounds and reasons of the commons, or my not pressing of them with apt arguments and precedents of former times, or that perchance your lordships from some other reasons and authorities, more swaying with your lordships judgments, than these from them, may possibly be of a contrary or dubious opinion concerning these treasons, either upon the statutes of 25 Edward III. and 18 Henry VI. or at the common law:

My Lords, if all these five should fail, they have therefore given me further in command to declare to your Lordships some of their reasons, why they conceive that in this case the mere legislative power may be exercised.

Their reasons are taken from these three grounds:

1. From the nature and quality of the offence.
2. From the frame and constitution of the parliament wherein this law is made.
3. From practices and usages of former times.

My Lords, the horridness of the offence, in endeavouring the overthrowing the laws and present government, hath been fully opened to your Lordships heretofore.

The parliament is the representation of the whole kingdom, wherein the king as head, your lordships as the more noble, and the commons the other members, are knit together into one body politick: This dissolves the arteries and ligaments that hold the body together, the laws: He, that takes away the laws, takes not away the allegiance of one subject alone, but of the whole kingdom.

It was made treason by the statute of 13 Elisabeth for her time, to affirm, that the laws of the realm do not bind the descent of the crown; no law, no descent at all.

No laws, no peccage, no ranks or degrees of men; the same condition to all.

It is treason to kill a judge upon the bench; this kills not *Judicem*, sed *Judicium*: He that borrowed *Apelles*, and gave bond to return again *Apelles* the painter, sent him home after he had cut off his right hand; his bond was broken, *Apelles* was sent, but not the painter. There be twelve men, but no law; there is never a judge amongst them.

It is felony to embezzle any one of the judicial records of the kingdom; this at once sweeps them all away, and from all.

It is treason to counterfeit a twenty-shilling piece; here is a counterfeiting of the law; we can call neither the counterfeit nor true coin our own.

It is treason to counterfeit the great seal for an acre of land; no property hereby is left to any land at all. Nothing treason now either against king or kingdom, no law to punish it.

My Lords, if the question were asked in Westminster-Hall, Whether this were a crime punishable in the Star-Chamber, or in the King's-Bench, by fine or imprisonment? They would say, it went higher: If whether felony? They would say, that is for an offence only against the life or goods of some one, or few persons: it would, I believe, be answered by the judges, as it was by the chief justice Thirning, in 21 Richard II. That, though he could not judge the case treason there before him, yet, if he were a peer in parliament, he would so adjudge it.

My Lords, if it be too big for those courts, we hope it is in the right way here.

2. The second consideration is from the frame and constitution of the parliament; the parliament is the great body politick, it comprehends all from the king to the beggar: If so, my Lords, as the natural, so this body, it hath power over itself, and every one of the members, for the preservation of the whole. It is both the physician and the patient: if the body be distempered, it hath power to open a vein to let out the corrupt blood for curing of itself; if one member be poisoned or gangrened, it hath power to cut it off for the preservation of the rest.

But, my Lords, it hath been often inculcated, that law-makers should imitate the supreme lawgiver, who commonly warns before he strikes; the law was promulged before the judgment of death, for gathering the sticks; no law, no transgression.

My Lords, to this the rule of law is, *Frustra legis auxilium invocatur, qui in legem committit*; from the *lex talionis*, he that would not have had others to have law, why should he have any himself? Why should not that be done to him, that himself would have done to others?

It is true, we give law to hares and deers, because they are beasts of chace; it was never accounted either cruelty or foul play to knock foxes and wolves on the head, as they can be found, because these be beasts of prey: The warrener sets traps for powlcats and other vermin, for preservation of the warren.

Further, my Lords, most dangerous diseases, if not taken in time, they kill: Errors in great things, as war and marriage, they allow no

time for repentance; it would have been too late to make a law, when there had been no law.

My Lords, for further answer to this objection, he hath offended a law, a law within. The endeavouring to subvert the laws and policy of the state wherein he lived, which had so long, and with such faithfulness, protected his ancestry, himself, and his whole family; it was not *malum, quia prohibitum*, it was *malum in se*, against the dictates of the dullest conscience, against the light of nature; they, not having the law, were a law to themselves.

Besides this, he knew a law without, that the parliament in cases of this nature had *potestatem vitæ et necis*.

Nay, he well knew, that he offended the promulged and ordinary rules of law: Crimes against law have been proved, have been confessed, so that the question is not *de culpa, sed de pœna*, what degree of punishment those faults deserve; we much differ from him in opinion, that twenty felonies cannot make a treason, if it be meant of equality in the use of the legislative power: For he, that deserves death for one of these felonies alone, deserves a death more painful and more ignominious for all together.

Every felony is punished with loss of life, lands, and goods; a felony may be aggravated with those circumstances, as that the parliament with good reason may add to the circumstances of punishment, as was done in the case of John Hall, in the parliament of 1 Henry IV. who, for a barbarous murder committed upon the Duke of Gloucester, stifling him between two feather-beds at Calais, was adjudged to be hanged, drawn, and quartered.

Batteries by law are punishable only by fine and single damages to the party wounded.

In the parliament held in 1 Hen. IV. cap. vi. one Savadge committed a battery upon one Chedder, servant to Sir John Brooke, a knight of the parliament for Somersetshire; it is there enacted, that he shall pay double damages, and stand convicted, if he render not himself by such a time: the manner of proceedings quickened, the penalty doubled, the circumstances were considered, it concerned the commonwealth, it was battery with breach of privilege of parliament.

This made a perpetual act, no warning to the first offender; and in the King's Bench, as appears by the book case of 9 Henry IV, the first leaf, double damages were recovered.

My Lords, in this of the bill the offence is high and general, against all, and the best of all.

If every felony be loss of life, lands, and goods, what is misuse of the legislative power, by addition of ignominy in the death and disposal of the lands to the crown, the publick patrimony of the kingdom?

But it was hoped that your Lordships had no more skill in the art of killing of men, than your worthy ancestors?

My Lords, this appeal, from your selves to your ancestors, we admit of, although we do not admit of that from your Lordships to the peers of Ireland.

He hath appealed to them: your lordships will be pleased to hear what judgment they have already given in the case; that is, the several

attainders of treason in parliament, 'after the statute of 25 Edward III. for treasons not mentioned, nor within that statute, and those upon the first offenders without warning given them.

By the statute of 25 Edward III. it is treason to levy war against the King: Gomines and Weston afterwards in parliament in 1 Richard II. numb. 38. 39. were adjudged traitors for surrendering two several castles in France only out of fear, without any compliance with the enemy; this is not within the statute of 25 Edward III.

My Lords, in 3 Richard II. John Imperial, that came into England upon letters of safe conduct, as an agent for the state of Genoa, sitting in the evening before his door in Bread-street, as the words of the records are, *paulo ante ignitegium*; John Kirby and another citizen coming that way, casually Kirby trod upon his toe: it being twilight, this grew to a quarrel, and the ambassador was slain; Kirby was indicted of high treason, the indictment finds all this, and that it was only done *se defendendo*, and without malice.

The judges, it being out of the statute of 25 Edward III, could not proceed; the parliament declared it treason, and judgment afterwards of high treason there; nothing can bring this within the statute of 25 Edward III. but it concerns the honour of the nation, that the publick faith should be strictly kept: It might endanger the traffick of the kingdom: they made not a law first, they made the first man an example. This is in the parliament roll, 3 Richard II. number 18. and Hilary term, 3 Richard II. Rot. 31. in the King's-Bench, where judgment is given against him.

In 11 Richard II. Tresilian and others were attainted of treason for delivering opinions in the subversion of the law, and some others for plotting the like: My Lords, the case hath upon another occasion been opened to your Lordships; only this is observable, That in the parliament of the first year of Henry the Third, where all treasons are again reduced to the statute of 25 Edward III, these attainders were by a particular act confirmed and made good, that the memory thereof might be transmitted to succeeding ages: they stand good unto this day; the offences there, as here, were endeavouring the subversion of the laws.

My Lords, after 1 Henry IV. Sir John Mortimer, being committed to the Tower upon suspicion of treason, broke prison, and made an escape: this is no way within any statute or any former judgment at common law; for this, that is, for breaking the prison only, and no other cause, in the parliament held the second year of Henry the Sixth, he was attainted of high treason by bill.

My Lords, poisoning is only murder; yet, one Richard Coke having put poison into a pot of pottage in the kitchen of the bishop of Rochester, whereof two persons died, he is attainted of treason, and it was enacted, that he should be boiled to death by the statute of 22 Henry VIII. cap. ix.

By the statute of 25 Henry VIII. Elisabeth Barton, the holy maid of Kent, for pretending revelations from God, that God was highly displeased with the King for being divorced from the Lady Catharine, and that, in case he persisted in the separation, and should marry another,

that he would not continue King above one month after; because this tended to the depriving of the lawful succession to the crown, she was attainted of treason.

In the parliament 2 and 3 Edward VI. cap. xvi, the Lord Admiral of England was attainted of treason for procuring the King's letters to both houses of parliament, to be good to the said Earl in such matters as he should declare unto them; for saying that he would make the parliament the blackest parliament that ever was in England, endeavouring to marry the Lady Elisabeth the King's sister, taking a bribe of Sherrington, accused of treason, and thereupon consulting with council for him, and some other crimes, none of them treason, so clearly within the statute of 25 Edward III. or any other statute, as is the case in question.

My Lords, all these attainders, for aught I know, are in force at this day; the statutes of the first year of Henry the Fourth, and the First of Queen Mary, although they were willing to make the statute of the five and twentieth year of Edward the Third the rule to the inferior courts, yet they left the attainders in parliament precedent to themselves untouched, wherein the legislative power had been exercised. There is nothing in them whence it can be gathered, but that they intended to leave it as free for the future.

My Lords, in these attainders, there were crimes and offences against the law: they thought it not unjust, circumstances considered, to heighten and add to the degrees of punishment, and that upon the first offender.

My Lords, we receive, as just, the other laws and statutes made by these our ancestors: they are the rules we go by in other cases: why should we differ from them in this alone?

These, my Lords, are in part those things which have satisfied the commons in passing of the bill: it is now left to the judgment and justice of your Lordships.

OVATIO CAROLINA,
THE TRIUMPH OF KING CHARLES ;

OR, THE TRIUMPHANT MANNER AND ORDER OF
RECEIVING HIS MAJESTY INTO HIS CITY OF LONDON,

On Thursday, the twenty-fifth day of November, Anno Dom. 1641,

UPON HIS SAFE AND HAPPY RETURN FROM SCOTLAND.

With Mr. Recorder's Speech to his Majesty,

AND HIS MAJESTY'S MOST GRACIOUS ANSWER.

London, printed by A. N. 1641. Quarto, containing thirty-eight pages.

*Cives Londinenses, Illustrissimi Regis Caroli à Scotia Reditum, sic
gratulantur.*

PRINCIPIS adventus Caroli, vel gratior urbi
Quis dicat ; Carolus vel mage gratus erat ?
Gratia grata mage est, veniens e principis ore :
Nostra soluta facit debita, grata minus.
Nec tamen ingratos nos reddit : Vota supersunt,
Ut crescat Caroli Gratia, noster amor.

London, To the King.

THANKS, mighty Sir, that you would gracious be,
T'accept the poor great zeal, of mine, and me.
I entertain'd you not : Where e'er you go,
All else are but spectators, not the show.
I do not envy now the empress Rome,
When her great Cæsars rode triumphant home :
Nor wish her hills, but when you absent are
To see your long'd-for coming from afar.
But go no more, leave me no more, with fears,
And loyal grief, to spend my Thames in tears.
Your next return may some due honour miss,
I shall not then have done my joy for this.

London, To the Queen.

WHEN you were pleas'd, great queen, my streets to view,
 I then myself the queen of cities grew:
 And did exceed all other towns as far
 Almost, as you above all women are.
 So full and boundless was the pleasure here,
 To see my king your husband but appear,
 That nothing else had power, but your bless'd sight,
 To add one joy besides, to the delight.
 Methinks, when such a glorious pair I see.
 Some gods are come, to make a heav'n of me.
 Only your womb can greater wonders do,
 That, after death, will shew you both a-new.

THAT princes have been often-times received in a triumphant manner, by their subjects, either after the subduing of a nation by force of arms, or the quiet pacification of a people, without blood-shed, is a thing not novel; none but they that are not versed at all, in the ancient monuments of time, are ignorant of it.

The Roman stories, to omit others, tell us, that they had two sorts of triumphs, in use among them; one for those of the first kind, wherein they led their principal enemies captived in chains, and these conquerors were received by the people, with musical instruments of war, they themselves being crowned with laurel, and sacrificing *Taurum*, a bull, the emblem of blood, together with some of the chief captives: The other sort were entertained with musical instruments of peace and feasting, being crowned with myrtle, and sacrificing (*Ovem*) a sheep, the hieroglyphick of peace, whence this triumph was called *Ovatio*: And though with them, being heathen, this was called *Triumphus minor*, the lesser triumph, and so by them reputed; yet, with us christians, who serve and worship the prince of peace, it is, and ought to be, accounted *major*, the greater and more honourable.

Our own stories can report unto us, that this triumphant reception of our princes hath been frequent in use amongst us. And our own memories may inform us, that upon ordinary occasions, even upon their removal from one house of theirs to another, and that annually, solemn attendance upon them, by the citizens of London, hath been in practice, to express their love, and hearty affections to them.

No marvel then, if upon so happy an expedition, and safe return of our royal king, the city of London, his majesty's royal chamber, should express its joy in so solemn and dutiful a manner, as lately it hath done. Were it only in regard of his majesty's great wisdom and moderation, in composing an unnatural war, and settling a peace between two of his own kingdoms without expence of blood, it had been warrant sufficient, for the erecting of trophies to his majesty's perpetual memory,

and to have received him, with all the honour could be devised : But if we shall add to this the removal of their just fears, and the reviving of their dejected spirits, by his safe and happy return; no man, but will conclude, That the citizens of London have done nothing more, if not far less, than by duty they were bound; and if they had not performed what they did, the very stones in the streets would have proclaimed to the world their ingratitude to God, and his majesty.

For, certainly, much dejected we have been, yea, altogether heartless, since the rays of his majesty, our great luminary, were overclouded by his absence from us. To use one prophet's words, in another case: Did not our hearts go along with him? Yes, and tarried with him too; insomuch that we have remained, as it were, without them, ever since his majesty's departure, and have seemed like dead men.

And indeed, how could we be in better case? For, if another prophet could say, in the case of King Josias, ' Spiritus Oris, the breath of our nostrils, is departed from us;' How could we, during the time of his majesty's absence, but say the like? And, if breathless, we could not be but lifeless, sure.

But the now joyful, happy, and comfortable return of the sun into our horizon hath restored our hearts, and revived us: And, if this return had nothing concomitant with it, yet had it been sufficient of itself to reduce us to our pristine estate; but that it entered, and that into our particular orb, accompanied with that other luminary, which by the interposition of the earth, between the other great light and her, hath, if it may not be said, been eclipsed, yet not vouchsafed that splendor, we had in former times by her, in our hemisphere, we are not only fully recovered, but much more strength and vigour is added to us, than formerly we had.

This grace and favour of their majesties to us, in particular, and this great blessing of God, upon all good subjects in general, for this happy peace, and safe return, is not to be paralleled in any history; it is *exemplar sine exemplo*, a sampler not to be patterned: And, therefore, no praise to God, nor thanks nor obedient service to his majesty, can be sufficient to express it.

By this little, though much more might be said, it may be hoped, that the mouths of all pasquillers may be stopped. For, if the heathen could honour their princes, sometimes upon ridiculous expeditions, only because they were their princes; as we read of that for Caligula, who returned to Rome in triumph, having only gathered cockle-shells, near our coast, how much more stand we bound to manifest our affections, in honour of our gracious sovereign, not only for this great and princely work of his, in settling peace and unity between his people, by mansuetude and mildness, but for vouchsafing this seasonable and timely visit in his return, to this his dejected city.

What remaineth then? But that this mutual act of love between his majesty and the city, occasioned as aforesaid, be kept in perpetual memory? Had not things of this nature been formerly recorded for posterity, we might have wanted a precedent, and this might have been accounted, as some things in these times are, an innovation.

That, therefore, we may do no less for succeeding times, than former have done for us, we shall describe the particulars of this day's great work: That is, the bounden duty and service to his majesty, by his loyal subjects the citizens of London, and the honour returned by his majesty for it.

Which, for the more clear apprehension of those which were not spectators of it, we shall set down in this method:

1. The preparation before the day.
2. The day's work, or entertainment in itself.
3. What occurred after, yet having relation to the work of the day.

The Preparation.

THE orator, long since, hath told us, that *in rebus magnis, memoriae dignis, consilia primum, deinde acta spectantur*; In great matters, worthy of perpetual memory, we are to consult, before we act. And the reason for this is given by another, *Quicquid diligenter praevidetur, cum ad rem agendam perventum fuerit, facilius superatur*; Whatsoever is carefully thought upon, before-hand, is with more ease effected, when it comes to execution. And therefore, the right honourable the lord mayor, and the rest of the grave senate of the city of London, the aldermen his brethren, being advertised, That his majesty, in his happy return from Scotland, would graciously condescend to pass through the city, with his royal consort the queen, the prince, and others of the princely issue; at a court among themselves, took into their consideration, how to give entertainment, fit for his majesty's gracious acceptance. And, thereupon, they selected a committee of six aldermen, and twelve commoners, who should meet, consult, and order, what they in their discretions should think fit, to conduce to the honour of the city, and the acceptance of his majesty; yet, before these committees should effect any thing herein, it was thought requisite to assemble a common council, as well to understand the affections of the commons, as to confirm those committees, chosen by the lord mayor and court, as aforesaid.

The matter being propounded there, was entertained with an unanimous consent, and general approbation, and the before mentioned committees were by the court confirmed; who, thereupon, met daily, bending all their thoughts, how to satisfy the trust imposed on them; and, calling before them the officers of the city, directed them, what they should do, charging them to leave nothing undone, which either art, labour, or cost, in so short a time, could compass.

More particularly, in the first place, their especial care was, to give order, as well to the steward, cook, butler, and confectioner, to make speedy provision of all things, fit for the royal feasting of their majesties, and their princely train; as to the officers of the city works, that the Guildhall might be prepared, and made ready, for the due and respective receiving of them.

The next was, that precepts might be speedily directed to the several societies and companies of the city, that, against the day their majesties should come, there should be some of the prime men chosen out of their liveries, that should be in readiness, to attend the lord mayor and aldermen, in their best array, either velvet, plush, or sattin, and chains of gold, upon good horses, well appointed, and each rider to have a footman, to attend him to meet their majesties, and conduct them, first to Guildhall, and afterwards to his majesty's royal palace of Whitehall. As also, that, out of the residue of their companies, some should be appointed to wait in their several standings in their liveries, from their majesties entrance into the city, to Temple-Bar, to which purpose, the committee gave order and directions, where every several company's standings should be set up. And lastly, that others should be nominated to attend in the Guildhall upon their majesties, in their liveries and foins likewise, from the time of their coming thither, to their departure thence.

Another care of the committee was, that, the way from Kingsland to Shoreditch, being impassable for their majesties, in regard of the depth and foulness of it, a way might be prepared from thence to that place of the city where their majesties should enter, as might not be only fair and clean, but as pleasant also and delightful as the season of the year would permit; and that the streets, all the way they should pass, might be paved, where need was, and made sweet and clean.

And, because some seditious libels were at that time dispersed, which bred a panick fear in some, order was likewise taken, that there should be two companies of the city's trained bands, placed in several parts of the city upon that day; as also, that at every door a man should be placed, sufficiently appointed, to be ready upon all occasions, to appease any disorders.

Lastly, Out of the said committee, two of the city captains were designed as chief marshals for the day, to have the command over the other three marshals, that were officers of the chamber, and to order, direct, and marshal the horsemen. As also four others of the committee were appointed as comptrollers of the house, to whom all inferior officers should have recourse upon any occasion, and to direct and order the liveries, which were to attend upon their majesties service, and generally to dispose all other things, conducing to the entertainment in Guildhall.

And thus much briefly for the preparation.

Now for the Entertainment itself.

UPON Thursday, being the five and twentieth of November, 1641, the knights of the Grey Cloke, Master Recorder, the rest of the aldermen, city council, and chief officers, as town-clerk, common serjeant, and remembrancer, attended the lord mayor, at his lordship's house in the Old Jury, by eight of the clock in the morning; from whence they

advanced through the city, to Moor-gate, in this manner: The lord mayor (having the sword-bearer and two mace-bearers before him on horseback, and on foot-cloths, and two footmen in black velvet coats, on each side one; his lordship wearing a gown of crimson velvet, and a collar of S's) rode in the front, the knights afore-named, Master Recorder, and the aldermen following, according to their seniority, two by two, in scarlet gowns, attended by two footmen a-piece, suited in the city colours, each of which footmen being appointed to carry a truncheon in his hand for the forenoon, and two torches for the afternoon. Next to them followed the city council, and chief officers in black gowns, upon foot-cloths, each of them having a footman going by them suited, and fitted as aforesaid.

In this equipage they passed through the city, from his lordship's house to Moorfields, where there waited in a readiness to attend his lordship, and the service, about five-hundred horsemen, selected out of the liveries of the several companies of the city, being the master, wardens, and prime men of each company, in velvet or plush coats and suits, with chains of gold, and being well horsed, and gallantly furnished: Every company having a horseman in the front, carrying a pendant with that company's arms to which he did belong, for distinction's sake, and a footman to attend each horseman of the livery, with truncheons and torches, as before: Both horsemen, with pendants, and footmen, being suited *cap-a-pe* with the company's colours on which they waited. There were also fourteen trumpeters, with trumpets, banners, and scarfs, who were placed two between every hundred of the horse, and four at the head of the troop.

The lord mayor, being thus attended, rode on with the knights, Master Recorder, the aldermen, city council, and chief officers, as before, and after them the five hundred horsemen, according to the several ranks of the companies; the lord mayor's company, the cloth-workers, being foremost, then the mercers, and the rest according to their order.

They all advanced in comely manner, through the fields (the banks being cast down, and bridges of fourteen feet wide, being made over the ditches, for better and more secure passage) till they came beyond Balmes, a retiring-house of Sir George Whitmore's, in the fields next adjoining to Kingsland. The night before being rainy, and the morning gloomy and cloudy, the lord mayor commanded his tent to be pitched in the field, where his lordship, the knights, Master Recorder, and the aldermen, were to attend their majesties. In the tent were seats and forms, where his lordship and some of the nobility reposed themselves, till their majesties came.

In the mean time, the two sheriffs of London and Middlesex, attended by seventy-two men in scarlet elokes trimmed with silver lace, (the colours of the city) with javelins and feathers, and four trumpeters, rode as far as Stamford-Hill, between Newington and Tottenham; where they stayed while their majesties came from Theobalds, where they lay the night before, who (after they had done their respective duties, and kissed their majesties hands) conducted them to the field where the lord mayor, the nobility, and aldermen, waited for them.

His majesty came into the field about ten of the clock, in a coach, he sitting on the right side of it, and her Majesty on his right hand, the Prince, the Duke of York, and the Princess Mary, being within the coach, and the Prince Elector Palatine, and the Duchess of Richmond, sitting on the other side, their majesties being attended by divers honourable lords and ladies. When the coach came against the Lord Mayor's tent, his majesty caused it to stay, where divers of the nobility, that had attended his coming there, presented themselves to his majesty, and, joying in his safe return, kissed both their majesties hands.

After which, the Lord Mayor, Knights, Master Recorder, and Aldermen, presented themselves likewise, in an humble manner, to his Majesty. The Lord Mayor tendered the city sword and scepter to him, who re-delivered them to his lordship, where kneeling, together with Master Recorder, by the coach-side, Master Recorder made a grave, pithy, and short speech to his Majesty, as followeth :

May it please your Majesty,

THIS is a day of exceeding great joy to your citizens of London, joy exalted to the highest degree, to see you return in safety, after a long absence ; and to see this happy meeting with your dearest consort, our good and gracious queen, and with these blessed children, that are the fruits of your loves, and pledges to us of a fruitful and hopeful succession.

I can truly say this from the representative body of your city, from whence I have my warrant, they meet your majesty with as much love and affection, as ever citizens of London met with any of your royal progenitors, king or queen of this kingdom, and with as hearty a desire to shew itself fully. Pardon their failures, where you meet with any.

We tender unto you no formal present, it would but lessen us. I am sure, whatever it were, it would be far short of our meaning.

We present unto you our hearts and affections ; hearts of true subjects, full of loyalty to you our king and sovereign.

It is true, in this we offer your majesty but your own, they were by just right yours before : But, upon this new enlivening and expression, be pleased to take them as a new gift ; we offer them chearfully, vouchsafe to accept them graciously ; and, with the influence of those excellent and princely virtues, which we know, by great assurance, to be eminent in your royal person, the defence of our established religion, and the clear current of your justice from the fountain through the streams, be pleased to cherish them.

Vouchsafe, likewise, to uphold and countenance that ancient form and frame of government, which hath been long established in the city ; that power and authority of yours, which you have committed to your Lord Mayor, your true and faithful subject and servant, and the fit reverence and respect, due to the Aldermen his brethren, who are to assist him in his government ; we shall be thereby the better inabled to serve your majesty, and constantly to render to you the fruits of a true obedience, and, as our duty binds us, we shall never cease to bless you, and pray for you, and your dearest consort, our gracious queen, and for this

your royal and princely offspring; for your majesty's long life, and prosperous reign over us, in peace and glory, and with full contentment; and, I doubt not, but every true subject will join with us in this, and say Amen.

These expressions of joy, of love, of loyalty, and these hearty wishes and desires, which I have mentioned, I meet with every where from your citizens of London. They are the soft and still musick prepared for your majesty's welcome and entertainment this day; the joyful acclamations of your people, upon the sight of your royal person, will make it louder, and all, chearfully bearing their agreeing parts together, shall, I hope, this day, make up to your majesty a full and pleasing harmony.

To which, his Majesty made this gracious answer.

Master Recorder,

I MUST desire you (because my voice cannot reach to all those that I desire should hear me) to give most hearty thanks to all the good citizens of London, for their hearty expressions of their love this day to me. And, indeed, I cannot express the contentment I have received therein; for now I see, that all these former tumults, and disorders, have only risen from the meaner sort of people, and that the affections of the better and main part of the city have ever been loyal and affectionate to my person and government.

And, likewise, it comforts me to see, that all those misreports, that have been made of me in my absence, have not the least power to do me prejudice in your opinions, as may be easily seen, by this day's expression of joy.

And now I think it fit for me to assure you, that I am returned with as hearty and kind affection to my people in general, and to this city in particular, as can be desired by loving subjects. The first I shall express by governing you all, according to the laws of this kingdom, and in maintaining you in your full liberties, but chiefly in maintaining and protecting the true protestant religion, according as it hath been established in my two famous predecessors times, Queen Elisabeth and my father; and this I will do, if need be, to the hazard of my life, and all that is dear to me.

As for the city in particular; I shall study, by all means, their prosperity; and, I assure you, I willingly grant those few reasonable demands you have now made unto me, in the name of the city: Likewise, I shall study to re-establish that flourishing trade, which now is in some disorder amongst you, which I doubt not to effect, with the good assistance of the parliament.

One thing I have thought of, as a particular testimony of my affection to you, which is to give back unto you freely that part of Londonderry, which heretofore was evicted from you. This, I confess, as that kingdom is now, is no great gift; but I intend first to recover it, and then to give it to you whole and intirely. And, for the legal

part of this, I command you, Master Recorder, to wait upon me, to see it punctually performed.

I will end as I began, to desire you, Master Recorder, to give all the city thanks, in better expressions than I can make; though, I must tell you, it will be far short of that real contentment I find in my heart, for this real and seasonable demonstration of their affections to me.

His Majesty, having ended this gracious speech, was pleased to confer the honour of knighthood upon the Lord-Mayor, and Master Recorder, with the city-sword; both their majesties graciously giving their hands to kiss, to them, as also to the Knights, Aldermen, City Council, and Officers.

After these things done, his majesty and the prince alighted from the coach, and took their horses; the Queen, Duke of York, Princess Mary, Prince Elector, and the Duchess of Richmond, remaining still in the coach.

In the mean time, by the care and pains of the two captains of the committee, and of the three marshals, that were appointed for this day's service, the five hundred horsemen of the liveries, and their attendants, were brought into a body, and set in order as before; and, facing about, the whole company set forward, to conduct their majesties into London, the sheriffs' men being placed in the front, and the inferior companies following them, and the rest of the companies after them, the Lord Mayor's company being next to the aldermen; and, advancing in a seemly order, they made such a gallant shew, that their majesties, and the princes, took great delight and content to behold them.

The nobility, and others of his majesty's train, were marshaled by the officers of arms; so that the whole order was in this manner:

The City Marshal
 The Sheriffs' Trumpeters
 The Sheriffs' Men
 Citizens, in velvet coats and chains
 The City Council and Officers
 The Aldermen
 The Prince's Trumpeters
 Messengers of the Chamber

[In placing of the Messengers, an error was committed, for they should have followed the Sheriffs' Men.]

The King's Trumpeters
 Gentlemen of the Privy-Chamber
 Knight Marshal
 Pursuivants at Arms
 The Lord Chief Justice of the Common Pleas, being a
 Knight of the Privy-Council.

BARONS.

Lord Goring
 Lord Fielding
 Lord Coventry

Lord Digby
 Lord Mowbray
 Viscount Conway

HERALDS.

EARLS.

Earl Rivers
 Earl of Cumberland
 Earl of Essex, Lord

Chamberlain of the
 King's House
 Earl of Bath

Duke of Richmond
 Clarenceaux and Norroy
 Lord Keeper
 Lord Privy-Seal
 Serjeants at Arms, among whom one for the City.

Equerries and Footmen.	{	The Prince's Highness.	}	Equerries and Footmen.
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Garter,	{	The Lord Mayor carrying the City's Sword, by his Majesty's special appointment, as a grace and fa- vour at this time.	}	A Gentleman Usher, Daily-waiter.
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Lord Great Chamberlain.	{	Marquis of Hertford bearing the Sword of State.	}	Earl Marshal.
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The King's Majesty.

The Queen's Majesty, in her coach richly embroidered, and, with her, the Duke of York, the Princess Mary, and the Prince Elector.

Marquis of Hamilton, Master of the Horse, leading the Horse of State.

The Earl of Salisbury, Captain of the Pensioners.

The Gentlemen Pensioners, with their pole-axes, all mounted, with pistols at their saddles.

The Earl of Holland, Lord General beyond Trent; and, after him, Viscount Grandison, with many other principal commanders in the late Northern Expedition.

After them, divers ladies, and other great personages of note.

The Yeomen of the Guard.

They all entered the city at Moorgate, where their majesties were welcomed with a noise of trumpets, appointed to attend there to that purpose; from which place to Bishopsgate, and so, through Cornhill, to St. Laurence's Lane End, in Cheapside, the companies, in liveries, stood on the left hand, as their majesties passed by; the rails of the standings being covered with blue cloth, and the standings themselves being richly adorned with banners, ensigns, and pendants of the arms of each company respectively; nine companies of the twelve standing in the morning, the Lord Mayor's company beginning against St. Laurence's Lane End, and the other eight in their order, towards

Bishopsgate, the rest of the way where they left, to Moorgate, being supplied by some of the inferior companies; the outside of the houses, all the way their majesties passed, being beautified with rich tapestry.

On the north side of the street, four feet distant from the houses, were rails placed, to regulate and keep the people in good order, from Bishopsgate to Cornhill, and so to Temple-bar. At the beginning of which rails (viz. at Bishopsgate by the direction of the two captains and three marshals) the first horsemen of the liveries began to make a stand; the first rank of them, placing themselves single, faced the liveries that were in the standings, and the rest, passing along, placed themselves in the same order, the trumpets and pendants of each company standing in the front, and then the companies themselves; the youngest being next to the pendant, and so upwards by seniority, to the master of the company, who took his place last; then began the pendant, and youngest of the next company, to make their stand as the former, till they came to St. Laurence's Lane End; there being five feet distant from one horse to another, in which space stood each horseman's footman, with a truncheon in his hand, making, by this means, a guard for their majesties, and the rest of the train. And it fell out, that most of the companies of horse were placed right against their own companies in the standings; the people, that were spectators in the streets, were bestowed, part behind the horse, and part behind the liveries, and, by this good order, their majesties, and the train, passed quiet, without interruption.

Their majesties coming along Cornhill, seven trumpeters, that were placed in the clock-house of the Exchange, gave them their second welcome into the City; and, as they went, the conduit in Cornhill, and the great conduit in Cheapside, ran with claret-wine, to express the freedom of the City for the joy of that day.

All the way that their majesties passed, the people, with loud and joyful acclamations, cried, 'God bless, and long live, King Charles and Queen Mary!' And their majesties reciprocally and heartily blessed and thanked the people, with as great expressions of joy.

Being come to St. Laurence's Lane End, the passage being very streight, neither horse nor foot could be planted there; so that only the Sheriffs' Officers, the city Council and Officers, the Sheriffs, Aldermen, and the Lord Mayor, conducted their majesties and their train to Guildhall.

At their entrance there, divers honourable lords and ladies, that had not given their attendance abroad, presented themselves to his majesty, and conducted him and the queen up to the new and old council-chambers, being appointed for their repose, till dinner might be served to the table. The four comptrollers for the day, and about eighty comely and grave citizens, in foins and liveries, standing and making a lane on both sides their passage; to whom their majesties shewed gracious respects, the musick of the city giving them their next welcome.

Their majesties were no sooner reposed, but word was given for serving up of dinner to their table; the place appointed for it was the

Hustings, at the east end of the hall, which was raised almost two yards from the ground, the floor being covered with Turkey carpets; and all the hall, as all the other rooms of the Guildhall, was hanged and adorned with rich tapestry. In the middle of the place, where their majesties dined, was hung up a cloth of state, and two chairs of state were set under it, before which was placed a table six yards long; at the south-end whereof, two yards distance from the table, was a table of garnish three yards square; and, at the north-end, was a room erected for musick of all sorts, for the better entertainment and delight of their majesties, while they should be at dinner.

And, four or five steps under the place where their majesties dined, was a frame of timber erected, and floored with deals, a yard from the ground, which extended almost to the hall door; upon each side whereof was a table set, from the upper to the lower end of it; at which two tables the lords and ladies, that attended their majesties, were to dine; between which was a spacious way left, covered with green baiz, whereon their majesties were to pass to the place where they should dine.

And, in the west part of the hall, below the gate, on the south-side, was a long table placed for his majesty's pensioners; and in all other rooms, that were not for their majesties privacy, were likewise tables prepared for several sorts of their majesties attendants.

The dinner was served up in this manner: From their majesties table to the dresser (which was at the west end of the hall) stood the eighty liverymen before-mentioned, in two ranks, about two yards distant from each other, face to face, one rank of them receiving from the dresser the king's meat, and the other the prince's, at one and the same time; they never stirred or removed from their places, but delivered dish after dish, from one to another, till it came to the sewers, who placed it upon the table.

Their majesties meat was proportioned into four services: The first consisted of fifty dishes of cold meats, as, brawn, fish, and cold baked meats, planted upon the garnish or side-table; the other three services were of all sorts of hot flesh and fish, boiled, rost, and baked, to the number of an hundred and twenty dishes; after which was served up a curious and well-ordered banquet.

At the high table dined his Majesty, his royal consort the Queen, the Prince, the Duke of York, the Princess Mary, and the Prince Elector Palatine, in this order: the King sat under the cloth of state, and her Majesty close to him, on his left-hand; on his Majesty's right-hand, about a yard distant, sat the Prince; and, about the same distance from his highness, sat the Prince Elector: At her Majesty's left-hand, about a yard's space from her, was placed the Princess Mary, and, not far from her, the Duke of York.

The service for the tables of the Lords and Ladies was thus ordered: The liveries before-mentioned, after the meat was placed on the high table, served up the dinner to those tables, but in another posture; for, whereas before they stood in two ranks, face to face, they now turned back to back: the reason was, that, the meat being served up to both tables together, the one rank of them might face to one table,

and the other to the other; to these two tables were appointed ten messes, consisting of five-hundred dishes.

These two tables being likewise furnished, care was taken for the rest of the train, that were thought fit to be entertained within the hall, who were all served so plentifully, that not a man was heard to go discontented away.

And, because it was conceived beforehand, by the committees, that there might come more company with their Majesties, than could be conveniently provided for within the hall, large provision was made abroad for the guards, footmen, coachmen, and the like; where there dined about an hundred and fifty persons of all sorts.

His Majesty received such content, as well in the freedom of the entertainment, as in the well-ordering thereof, that he was pleased by words to express his royal thoughts, as well at dinner as afterwards (so did the Queen, Princes, and nobility) how great content and satisfaction he received from the city by it.

His Majesty also, after dinner, sent for Mr. John Pettus, a gentleman of an ancient family in the county of Suffolk (who had married the Lord Mayor's daughter) and bestowed the honour of knighthood upon him, knowing, that whatsoever in this kind he should do to his Lordship, or his, must necessarily result to the honour of the city, and be an expression of his grace and favour to it.

Their Majesties having reposed themselves a while after dinner, the days being short, the word was given for their departure; and, by this time, the three companies of the twelve, and the rest of the inferior companies, that had not waited in the morning, had taken their standings from St. Laurence's lane end, westward, towards Temple-Bar. The two captains also, with the three marshals, had ordered the horsemen in this manner: they first drew up the sheriffs men in the front, by two and two; then they caused the rear of the horsemen, that had made the first stand at Bishopsgate in the morning, to pass through the rest of the companies after the sheriffs men; and so the rest, according to their former order, till the whole number of five-hundred were ranked again by two and two, as in the morning, and so passed through Cheapside, till the rear of the first company, which was the Lord Mayor's, came even with St. Laurence's lane end; and in this order they staid, till their Majesties were ready to come out of Guildhall; which was about four of the clock in the afternoon.

The Lord Mayor carrying the sword before his Majesty, as in the morning, and the rest that conducted him from Cheapside to Guildhall, led his Majesty thither again, where the word was given, for the horse to advance, which they did, and every one fell into the same order, which they had in the morning: the greatest difference being, that whereas, in the forenoon, the footmen carried truncheons in their hands, they now went with lighted torches, which gave so great a light, as that the night seemed to be turned to day.

As their Majesties passed along, the trumpets and city musick were placed in several parts, sounding and playing, which, together with the several, continual, and joyful acclamations of the people, gave great content to both their Majesties; the little conduit in Cheapside,

and the conduit in Fleet-street, running with wine, as the other two conduits had done in the morning. And in their passage by the south door of St. Paul's church, the choir, with sackbuts and cornets joining with them, sung an anthem of praise to God, and prayers for their Majesties long lives, which pleased his Majesty so well, that he gave them an extraordinary respect; and in their passage to Temple Bar, he made such expressions of his gracious acceptance of the city's love, that the people could not sufficiently make manifest the joy they conceived at it. So that, by this time, the whole day seemed to be spent in a kind of emulation, with reverence be it spoken, between their Majesties and the city: the citizens blessing and praying for their Majesties and their princely issue, and their Majesties returning the same blessings upon the heads of the citizens, with innumerable thanks added thereunto. Insomuch that it is hard to resolve, whether the citizens were more joyed, with the gracious acceptance of their weak, though hearty and loyal endeavours, or their Majesties, with the performance of the day's seasonable service; both their Majesties, and the citizens, seeming, as it were, not well satisfied, to whom the thanks of this day's work were properly due.

But to proceed, when the sheriffs' men, who were in the front, were come as far as the May-pole in the Strand, they began to make a stand, and singled themselves, by falling off at the right-hand of the street, their company extending in length as far as Exeter house; and after them, the horsemen did the like, in the same order and posture, as they had done in the morning, and so continued to the Tiltyard, over against his Majesty's palace of Whitehall, to which place the Lord Mayor, knights, and aldermen, conducted their Majesties.

After the Entertainment.

And now by this time it might be conceived, that a period might be set to this relation, and that his Majesty had given testimony, ample and sufficient, of his gracious acceptation of the city's love, and loyal affection, towards him. But *manet alta mente repostum*, in a better sense than the poet spoke it; his Majesty had taken so deep impression of his poor subjects love, that he thought he had not sufficiently expressed himself, by all that he had already so graciously been pleased to demonstrate: and therefore, when the Lord Mayor had brought their Majesties into Whitehall, and was taking his leave in humble manner, his Majesty most graciously embraced and thanked him, and withal gave him in charge, that in his name, the whole city might be thanked.

Whereupon, against Tuesday morning following, being St. Andrew's day, the Lord Mayor caused a common council to be warned, where Mr. Recorder, in an eloquent and pithy speech, related the charge and command, that his Majesty, by the Lord Mayor, had imposed upon him; and withal, as was thought fit, he read his speech to his Majesty, and his Majesty's most gracious answer, both which are formerly set

down; which so much revived, and increased the joy of all the commons, that an act was there made, and the Lord Mayor was intreated, to appoint Mr. Recorder, and so many aldermen and commoners, as his Lordship should think fit, to attend his Majesty, and to return their humble thanks, for all his great and princely favours to the city; and to prefer to his Majesty such other desires of the city, as should be thought necessary and convenient.

In the mean time, his Majesty, studying, as it were, how to add more honour to the Lord Mayor, and in him to the whole city, had sent to his Lordship his gracious letters patents, whereby he created him a baronet.

The Lord Mayor, according to the power given unto him, by the act of common council, called a committee to his house, where he appointed how many aldermen, besides those of the committee for the entertainment, should attend his Majesty, with Mr. Recorder, in the pursuance of the said act, where it was concluded, what desires they should humbly represent to his Majesty, on the city's behalf.

Upon Friday the third of December, Mr. Recorder, with these aldermen, viz. Sir George Whitmore, Alderman Cardall, Alderman Soam, Alderman Gayer, Alderman Garrad, Alderman Willaston, and the two sheriffs, being Aldermen likewise, with eight of the commoners of the said committee, went, by his Lordship's appointment, to Hampton Court, where they were received by the Right Honourable the Earl of Dorset, Lord Chamberlain to her Majesty, Sir Peter Wiche, Comptroller of his Majesty's Houshold, and other officers, and gentlemen of quality, till they should be admitted into his Majesty's presence; and after some small stay, his Majesty, with his royal consort the Queen, attended by the Duke of Richmond, Marquis Hamilton, and the Earl of Dorset, came into her Majesty's presence-chamber, and soon after Mr. Recorder, the Aldermen, and commoners were called in; where, after their humble duties tendered, Mr. Recorder, in an elegant speech, presented the loyal affections, and humble thanks of the city to their Majesties, together with two humble petitions, formerly agreed on, to be preferred to his Majesty, in words to this effect:

That according to his Majesty's commandment given to the Lord Mayor, and himself, they had published that, which his Majesty had graciously expressed at his entry into the city, not only to particular men thereof, but at a common council, which is the representative body of the city, and there made known the most gracious acceptance, by both their Majesties, of the endeavours of the citizens, for their welcome and entertainment that day.

That after the publishing of it, they all forthwith with one heart, and one voice, earnestly intreated, and pressed the Lord Mayor, that by his means, and in such way as he should think fit, their most humble and hearty thanks might be rendered, and presented to both their Majesties, for that singular honour they had done the city, in vouchsafing their presence among them, and for those real testimonies his Majesty had given, of his princely favour and affection towards them, tending so much to their profit and advantage, and especially,

for both their Majesties gracious acceptance of their poor, though hearty endeavours, with these, and the like expressions, which came from among them: that if they had done a thousand times more, it had been but their duty; that the memory of this honour, and these favours, should ever live among them; that it should be preserved to posterity; that their desires and studies should be, as much as in them lay, that they might be thought worthy of these honours and favours, and of so good and gracious a King and Queen.

Thus the Lord Mayor had required us that were present, to attend their Majesties with this message from the city, and to make this thankful acknowledgment to them: beseeching their Majesties, as an addition to their former favours, to take it in good part from them. And this was the first part of our errand,

That we had two humble petitions to present to both their Majesties, and we had the rise and encouragement to both, from that which his Majesty was pleased to deliver to us.

Our first petition was, that their Majesties would vouchsafe this honour to the city, if it might stand with their good pleasures, to make their residence, at this season of the year, at the palace of Whitehall. Their presence was very joyful to us, and his Majesty was pleased to tell us, that he would study our prosperity, and restore the trade of the city, which of late had been in some disorder. Their residence there would give a good quickening to the retailing trade, and, by consequence, to the merchant.

Our second was, whereas, since his happy return hither, there had been some late disorders about Westminster, among some people that met there: that their Majesties would not impute this, to the body of the city, or to the better sort of citizens. We held it a misfortune, and a scandal upon us, that when those disorders were mentioned, the city was named with it; and that our desire was, to vindicate and redeem it, by some publick disavowing of it. And we could not begin better, than in the presence of their Majesties; and besought their Majesties to take it into their consideration, that the skirts of the city, where the Lord Mayor, and Magistrates of London, have neither power nor liberty, are more populous, than the city itself, fuller of the meaner sort of people: and, if any dwellers in the city should be actors in it, as who can deny, but, among millions of people, some there may be, yet their purpose was unknown to us. And, to give their Majesties some assurance herein, there were some present there among us, men, that had lived in the city above forty years together, that knew the city, and the better sort of citizens, and were at Westminster, attending other occasions, when those people met there, and took a heedful view of them; and they have affirmed, that they knew not the face of one man among them.

Mr. Recorder having ended, his Majesty presently and graciously gave answer, thus in effect:

That he was very well pleased with the hearty and loyal affections of

the citizens, for which he gave them great thanks: and, for the first petition, though he and her Majesty had before proposed to winter at Hampton Court, yet, being now fully persuaded, that the Lord Mayor and Aldermen, and the most considerable part of the citizens of London, had not any hand in the disorders mentioned by Mr. Recorder, in his second petition, he intended, and so he knew her Majesty would, to alter his resolution, and with all convenient speed repair to Whitehall, there to keep their Christmas, and be ready to do any thing else, that might promote the trade of the city, desiring Mr. Recorder to join with him, in taking some course, for prevention of the like disorders for the future.

After his Majesty had ended his answer, and that Mr. Recorder, and Sir George Whitmore, had kissed his royal hand, the next Alderman in seniority kneeled down, to receive the like princely favour, when suddenly, and unexpectedly, his Majesty drew a sword, and, instead of giving him his hand to kiss, he laid his sword upon his shoulder, and knighted him; the like he did to the other Aldermen and two Sheriffs, being in number seven.

This done, their Majesties gave them their hands to kiss; the like princely favour vouchsafed they to the commoners of the committee; and, after many gracious demonstrations of love to them, and the whole city, his Majesty commanded, that they should dine before they left the court.

His Majesty's command was fully and effectually performed: for, as soon as they had in most humble manner taken their leaves of their Majesties, they were brought (by the Right Honourable the Earl of Dorset, and by Mr. Comptroller, and other officers of the court) into a room, where a table was prepared for them, and no others, to dine at, where they were bountifully feasted, being honoured with the presence of the Earl of Dorset, who vouchsafed to dine with them, and, in their Majesties names, gave them exceeding great welcome, expressing to them that love, which he ever hath abundantly manifested to the city. Mr. Comptroller likewise dined with them, using them with very great respect.

While they were at dinner, there came two gentlemen to them; one from his Majesty, the other from the Queen, to let them know, that their Majesties had remembered the health of the Lord Mayor, and the whole city; which they all entertained with all due respect, returning their humble thanks, for that their Majesties extraordinary favour.

Dinner being done, they took their leaves of the honourable Earl, and other officers of quality and eminency of the court, and departed, returning to the Lord Mayor, with great joy and comfort, to whom they made relation of their Majesties grace and favour to his Lordship, the whole city, and themselves.

Thus have you seen, as briefly as we could, the work of this day, and in it, as well the demonstration of the city's love, and dutiful affection to his Majesty, and his royal consort, as their Majesties gracious and loving acceptance of it: the former being but the bounden service

of good and loyal subjects; the other, an extraordinary act of favour and grace, worthy to be engraven in tables of brass, to be preserved to all posterity.

Nothing now remains, but that we, and all other his Majesty's loving and loyal people, heartily desire of God, to crown his Majesty with all spiritual and temporal blessings; that he may long and peaceably reign over us, to the re-establishing of pure religion, and the preservation of his church undefiled, as from idolatry and superstition, so from prophaneness and schism: that we, and our posterity, may ever praise the glorious name of God, in the great congregation, with unanimous and uniform consent, for all his blessings daily conferred upon us in his Majesty, and learn true and pious obedience to him, as set over us, for our good: that his kingdoms may flourish in peace and happiness, to God's glory, his Majesty's honour, and the good of all his loving subjects, who (we doubt not, but) to this will all heartily say, *Amen.*

CAMILTON'S

DISCOVERY OF THE DEVILSH DESIGNS, AND KILLING PROJECTS,

Of the Society of Jesuits, of late Years projected, and, by them, hitherto acted, in Germany,

INTENDED, BUT GRACIOUSLY PREVENTED, IN ENGLAND.

Translated out of the Latin Copy.

DEDICATED TO THE HIGH-COURT OF PARLIAMENT,

By W. F. X. B. Minister of Christ's Gospel.

From all Sedition, and privy Conspiracy; from all false Doctrine and Heresy,

Good Lord deliver us.

London, printed by T. Fawcett, dwelling in Grub-street, 1641. Quarto, containing thirty-six pages.

To the High and Honourable, the Lords and House of Commons of England, in Parliament assembled.

My Lords and Gentlemen,

ABOUT twelve years ago, there came to my hand a little tract, written, in Latin, by one who stiled himself Johannes Camiltonus, and professed himself to have been sometimes a probationer in that college of Jesuits in Germany, whereof Jacobus del Rio, at that time pro-

vincial, was the visitor. This book, in the year 1607, was by him written, and dedicated to the protestant electors of Germany, as a discovery, beforehand, of those most damnable projects, which that society then had in agitation against the people of Germany. The title of this book was, *De Studijs Jesuitarum abstrusioribus*, concerning the more secret and reserved practices of the Jesuits: whereunto had those princes, to whom this book was dedicated, given such timely ear and belief, as they might have done, they had, in all probability, prevented the greatest part of those unparalleled miseries, which, since the beginning of the wars there (and that was not till eleven years after the publication of this book) these incendiaries of Christendom have brought upon the German nation, to the astonishment of all the world. But we see what hath since been permitted to these fellows to do, and what the neglect of a timely taking heed, to a seasonable warning, hath brought upon those then flourishing princes and states.

That we, therefore, might learn, by other men's harms, to rectify our own particular, I have endeavoured the publication of this translation, under your honours' protection; having taught this discoverer to speak our language, for the publick benefit of our English nation against them: I dare boldly say, even yourselves being my judges, when you shall have read this small tract, that the same course hath been taken, by these common incendiaries, for breeding a disturbance, and bringing all things into a confusion, both in our church and state, that was then projected, and, since then, acted upon Germany. Nor do I think, but it is sufficiently known to your honours, and grave wisdoms, that the same wheel of mischief, that wrought all the woes of Germany, since the year 1618, hath, for some years last past, been set also at work in England, Scotland, and Ireland; witness all the factions and fractions in church and state, the disturbances and discontents between the prince and people, the fearful divisions betwixt the clergy and clergy, betwixt the court and city, and betwixt the king and his commons, yea, even betwixt the two crowns of England and Scotland; all which have received their birth and breeding from the devilish designs of those sons of division, the society of Jesuits, and been fomented, almost to a perfect flame, by their agents, and adherents, their deluded disciples of this nation; and had undoubtedly broke out, and produced, in short time, the like effects amongst us, that they have done in Germany, had not Almighty God, in mere mercy to this nation, and in his divine compassion to his poor church in England, thus ready to perish, stepped in to our rescue, by his blessed hand of providence stirring up the spirits of our noble peers, to represent to his sacred Majesty the imminent danger, and graciously inclining his royal heart to hearken thereto, and so that we may say with the psalmist, Ps. cxviii. 23. 'This was the Lord's doing, and it is marvellous in our eyes.' And the same God, if it be his blessed will, in his own time, by his own means, perfect that good work of mercy, which he hath so graciously begun for us of this land and nation, by rooting out, from amongst us, that disloyal brood of Inigo Loyola, that our eyes may see it,

and we may say, the Lord hath been magnified upon the borders of England. For, assuredly, though the Roman factors may now justly say, as Edom did in the prophecy of Malachi, i. 4. 'We are impoverished, but we will return, and build up our desolate places': for they cannot but be sensible of their own counsels, defeated both by sea and land; by water, in the year 1588, by fire, 1605; and it is not to be doubted, that they apprehend a fear of the miscarriage of their great and long intended plot of wit, now begun to break out this year, 1641; all which, notwithstanding, they still retain a resolution to return, and build up their desolate places; yet I desire them to read, and take notice of the words following, in the place before cited, 'Yet, thus saith the Lord of Hosts, they shall build up, but I will destroy, and men shall call them the border of wickedness, and the people with whom the Lord is angry for ever.' And your eyes shall see it, and men shall say, the Lord's name hath been magnified upon the borders of England. And, to speak truly what I think, I must confess, that I have conceived an hope, of a long time, that this year, 1641, which compleateth the century, since that society had their bull from the pope, under protection whereof they have wrought so much mischief, would shew unto the world an apparent alteration in the body of that monster, the society of Jesuits. A point, which I am induced the rather to believe, because I have been certified as much, in effect, from a couple of their own men, of eminent note for learning; the one Paulus Florenius, an Italian, the other Christianus Franken, a German; the former whereof was divinity reader, the other philosophy reader, in the imperial college of Jesuits at Vienna; both which, above threescore years ago, upon just grounds, expressed in a book by them published, forsook that religion, and became protestants. That book also is to be seen, and, if it please this honourable house to command it, shall be published also in English, for I find it written in Latin. And, if their prediction fail not more in the conclusion, than it hath done in the progress hitherto, I am confident that this may prove a very fatal year to that society. But I fear I hold you too long from the book itself; humbly, therefore, commending you all to Almighty God, in my due and daily prayers, I leave this discovery to your consideration, and rest

Yours, in all the duty of a minister of Christ's gospel,

W. F. X. B.

WHAT Marcus Cato sometimes spoke, concerning the Roman soothsayers, that he wondered how they could forbear to smile upon each other, so often as they met, may not unfitly be applied to the Jesuits. It is a wonder that one Jesuit, when he looketh upon another, doth not straightway burst forth into a laughing outright, they being, amongst themselves, privy to such impostures practised

upon the people. I speak not touching your simpler sorts of Jesuits from whom these more reserved and closer practices of the society are altogether concealed, either in respect they are not held wise enough, forsooth, to be acquainted with them, or that they are thought too devout to entertain them, or else in regard of their short continuance in that society; for all such are so kept short, through severity of discipline, that not one of them, except he be wonderous quick of scent, can ever smell out, in the least measure, what knavery is therein practised, under a shew of holiness. My discourse only toucheth the prime and principal fellows of that society, their regents, fathers, provincials, and generals; all which are so universally and jointly tainted with all manner of wickedness, but especially with whoredom, covetousness, and magick, that, indeed, any reasonable man may think it little less than a miracle, if a Jesuit, of this rank, meeting such another upon a sudden, and beholding, as it were, another picture, or lively representation of himself, should have power to abstain from laughing outright.

I therefore thought it not amiss, considering the premisses, to lay open unto the world some particular passages, and practices of that society, of the greatest part whereof myself have been an eye-witness, and some part whereof hath been related unto me by Jesuits, whom I am able to name, and will undoubtedly nominate, if they shall but dare, in the least manner, to lift up their tongues against me, or to contradict what I have written. And, howsoever, at this time, I pass over things briefly, and do only, as it were, give you a first draught thereof, I do purpose, in due time, God assisting me, to do it more largely and compleatly, with expression of all and singular circumstances thereunto appertaining.

First of all, then, at your entrance into any college of Jesuits, especially if it be situated in or near unto any large, and populous, and rich place. But, alas! why do I say, if it be built there (seeing they have no colleges in any poor, mean, or obscure place.) At your first entry, I say, into such a place or college, take principal notice of the porter of their gate, and him you shall find to look like unto the picture of a very *Charon*, or, rather, a *Cerberus*; for the most part, you shall observe him to be a man of very great years, or, if he be younger, he is a fellow of most approved trust and secrecy. And this is the man, if any such there be, who is well skilled in all the mysteries of the Jesuits Cabal, or reserved divinity.

In this fellow's keeping is great store of apparel, both of men and women, of every degree and calling; and, with this apparel, do the Jesuits habit themselves, according to the quality that every one findeth himself ablest to personate, and so practise wonderful impostures in the world. For, at some times, being habited like soldiers, very gallant, they walk in the streets and high-ways, whoring and swaggering in the publick stews. At other times, in the civil habits of citizens, professing themselves to be of the reformed religion, they pry up and down, and listen in inns, in play-houses, in taverns, upon the exchange, and in all places of publick meetings, wheresoever there is any frequent

resort; what the people speak up and down concerning them, what consultations are abroad, what matter of action is set on foot in any part. Another while, like doctors of physick, or of the civil law, with great rings on their fingers, avowing, and purposely professing themselves to be papists: wheresoever they know any of the common sort, that are wealthy, and have sons, they devise some cause of business with them, and insinuate themselves into their acquaintance by strange fetches, and, in conclusion, do advise them to bring up their sons in some school or college of Jesuits, affirming, that themselves have been educated by them, and that they have so profited under them, that, God be thanked, they never had cause to repent thereof. And sometimes, again, apparelled like noblemen, and compleatly attended, they cause coaches to be provided abroad, and frequent the courts of princes, as giving attendance upon ambassadors of foreign states, and serve, as intelligencers, to unlock the cabinets of great potentates.

Nay further, I have known them to make shew of being banished persons, and to crave collections amongst protestant divines, purposely to learn, under-hand, what such men write against them; yea, such were those men, for the most part, who so miserably deluded so many reverend men, in many places, by sinister ways, under that habit, furthering the designs of their society, and breeding disturbances in the reformed congregations; of whom, to the end that all honest-hearted ministers may be more wary, I shall tell you, hereafter, what projects, at this day, the Jesuits have on foot to this purpose.

But in the mean while perhaps you will say unto me, whereto, I pray you, serveth so much women's apparel, or what is their end in depositing so much in the keeping of the porter of their gate? Attend, and I will tell you: no pander, that ever Terence or Plautus mentioned in their comedies, was so nimble at the trade of winning pretty wenches, as are the Jesuits at this day, but especially that porter of their gate, whom I mentioned but now.

For, that which the confessors themselves are not able to wring out of them by auricular confession in their churches and chapels, this fellow knoweth how to win from them by flattering speeches, with wonderful pleasing and delightful toys; especially if he meet with a poor widow, or any such silly woman, which sendeth her child to the college now and then for an alms; or with some laundress, or spinster; for, be she *Lôtrix*, or *Netrixt*, he will make her a *Meretrix*. Whom, so soon as this base pander hath once but allured to come to his net, although her apparel be never so old and tattered, yet he hath gay gowns enough in store, with accoutrements suitable, wherewith he can make her both trick and trim, which when he hath done, he knoweth how to convey her through many secret passages and by-ways to his venerable masters, the fathers of the society: and yet he never doth this in the day-time, but near upon the shutting in of the evening, and then they make away the whole night in riot and luxury, with revelling and dancing, the younger sort and novices of the society being kept far enough from discovery thereof.

For they have for that purpose certain vaults framed like chambers and rooms, under-ground, as had the ancient Romans, who first

devised their stews in vaults, whose inclination to all carnal lasciviousness was so great, and so brutish, that the senate of Rome, fearing the just anger of their Gods for the same, utterly suppressed those Lupanaria or public stews.

And thus much for the Jesuits porter of their gate: only I must not forget to tell you this one thing, that if any party, who by chance shall come to the sight of such and so great a wardrobe, do demand, with admiration, what is the end or use of it? answer is made unto them, that it is the wardrobe reserved purposely for acting of plays: But that is the least part of their intention, to my knowledge.

Moreover, when thou enterest into any of their churches, make account that thou walkest under an heaven of iron: Bloody Mars is over thine head, not that Prince of Peace; below thee is the very pit of hell, and a shop of tormenters.

I now do relate in good earnest what mine own eyes have seen: At Prague in Bohemia, upon the roofs of their churches, are thousands of iron bullets, whips, and fire-balls, such as the Bohemians use: Upon the sides are placed pieces of ordnance, with a great number of musquets and harquebusses, with pikes and halberts: In the midst, where the arches meet, are great heaps of huge bullets of stone; and the like preparation have they also made at Cracovia. Nor do I make question, but that, upon due search, their colleges in other places would appear as well provided.

But some men may perhaps make question, to what end religious men should make such preparation, or what need there can be so to do? I confess the matter, at first sight, astonished me, and my best understanding was exceeding strange: But thus standeth the case.

The Jesuits know well enough, that the courses which they have taken formerly, and now every day do take, are so indirect and turbulent, as maketh them odious to all such as they live amongst; yea, to very papists themselves, at least to the wiser sort of them, in respect of many things which they have done both tumultuously and wickedly, wheresoever they have got footing in the least manner: For they have no regard of any, they spare not to root up the very Catholicks themselves, so that they may pleasure the pope's holiness therein, though it were with the betraying of their countries, and setting the whole Christian world in a combustion. And therefore, because they are in daily fear to be massacred by those among whom they live, they make this provident and timely prevention by warlike preparation.

For, indeed, they are afraid, as I myself have heard them confess, lest it might befall unto them as unto the knights templars, who, notwithstanding they were forward enough to serve the pope at all times, and as good Catholicks as could be wished in the matter of religion; yet, for their too much ambition and covetousness, whereby they became insupportable, they were, by consent of all Christian princes, and not without approbation from the pope himself, put to the sword all at an instant, and utterly rooted out almost in a moment; as sometimes were the Pythagoreans, those very Jesuits in effect, among the heathen, served throughout Italy, and the provinces adjoining.

Now the reason, wherefore they do make choice to lay up their arms

and ammunition in their churches, is only this: For if, when any insurrection or rebellious tumult ariseth in a province, the papists come thither to help and assist them, by this means they have arms for them in a readiness upon a sudden: But if any who are of contrary religion come thither to do them wrong, or to steal any thing from them, they have ammunition and stones above-head, to destroy them withal, before they be aware. And is not this, I pray you, the ready way to make the house of prayer a den of thieves?

And yet, by your patience, if you will but attend, I shall relate things more strange and horrible than these, in respect whereof, the things, I have related hitherto, may well seem tolerable, I may almost say innocent.

Under the pavement of their church at Gratz, and elsewhere, to my knowledge, are vaults and buildings under ground; whereunto, there is no way, but by stairs and steps. Here have they hoarded up (like to that Cacus whom Virgil speaketh of) all their prey and treasure, and do obscurely conceal a world of wealth: So professing poverty, not only with publick consent, but also with incredible pleasure, suffering the same with admirable patience, and cursing to the pit of hell all such as are poor against their wills, as unworthy of so blessed a cross.

But as for this their treasure, for the most part it is so contrived, that it is buried directly and perpendicularly under their greatest and chiefest, or most eminent and highest altar, and so they shall be sure, that when they chaunt mass, they shall sacrifice to Mars above-head, and to Mammon below.

Now, furthermore, in their vaults under ground, they maintain a very strange library, of cords, halters, racks, swords, axes, iron-pincers, stocks, torches, pillories, and several instruments of torture, wherewith, and whereunto, poor wretches being tied fast are joint by joint torn asunder, as many as fall into the hands of these tyrants, who are far more cruel in this kind, than Mezentius or Phalaris ever were.

Nor are they without a devil's coat, and a long steeple-crowned hat, with black feathers, a jagged doublet cut and slashed, breeches puffed out and bagged like bellows, down to their ancles, such as would even make a man affrighted to look upon them.

But, perhaps, he that readeth this relation will wonder, to what end religious persons, who profess themselves the disciples and followers (as they would have all men to believe) of our most meek Saviour Jesus, should make such provision. I will resolve you this question also, if you please to attend.

With such instruments as these, doth the society captivate the understanding of their disciples, unto jesuitical obedience. For if, in the least matter, they get any hint of suspicion, against any of their novices, that he will not be constant, or that he desireth to escape from them, and that he is likely to betray the secrets of their society, they clap up such a fellow, in a fair pair of stocks, and having macerated him a long time with hunger, and cold, and want of all bodily comforts; at last they make an end of him. with some exquisite tortures; and killing

torments. I do not belye them. I write nothing but a truth. There was at Gratz, about three years ago, a young man named Jacobus Clusseus, a youth of an excellent and pregnant wit; this man did they lay hands upon, and miserably tormented him, by whipping and scourging, for a matter of no moment, and because he told them plainly, that he would renounce their society, and complain publickly, if ever he got liberty, for this, and other such wicked dealing towards him, they clapped him up into such a prison, under ground, as aforesaid, from whence he was never seen to come out again alive.

Nor did any of us, that were novices, make question, but that he was made an end of, with most exquisite torments.

Which unparalleled piece of tyranny I purpose, in due time, to divulge to the whole world, with relation of all circumstances, being the thing which the poor wretched Clusseus had a purpose to have done himself, if he had not been hindered and prevented by death.

I shall withal make publick unto the world another such piece of villainy, committed by the Jesuits of Fulda in Germany, upon the body of one Martinus, whom they stole away most basely from his parents, who are yet living at Miltenberg, or Milberg.

And how many women, think you, have been devoured and eaten up in the same gulf? How many young children slain? How many young men, that have been sole heirs of very large and ample patrimonies, have been made away by them? I do not say, I think, but I believe, and am firmly persuaded, so often as shrieks, cries, sighings, and most woeful lamentations, were heard in the night-season, the hearing whereof would put a man into a cold sweat all over, and make his hair stand on end, though our simpler novices believed them to be the souls of some lately departed; it was nothing but the shrieks and mones of children lately murdered, or then a murdering.

Moreover, that the extreme and devilish malice of Jesuits may be in nothing defective, they are accustomed divers times, in those their vaults under ground, to make the devil very fine sport: Putting on terrible disguises, they cause some of their novices to be called down to behold their tragedy, upon whom they will rush suddenly, with a horrid yelling noise, to make trial, forsooth, of their courage and constancy.

For, if they find any to be timorous and fearful, they admit not such a man to the secrets of magick, as counting them cowardly and degenerate, but appoint them to some of the inferior arts: But such as appear to be of bold and undaunted spirits, they take especial notice of them, and reserve them for serious employments.

And yet they are not always successful for all this, as appeared by that which happened at Prague, in the year 1602. For whereas there were five principal Jesuits, who being habited as devils made sport with the youth: It so fell out, that there was found to be a sixth in their company, before they were aware, and he, questionless, was a devil indeed, who, catching up one of the personated devils in his arms, gave him such a kindly unkind embrace, that within three days after he died of it. The fact was common talk at bakehouses and barber-shops, and at every table discoursed upon, all over Prague.

And yet, for all that, the rest of them, as nothing amazed with

this tragical event, dare still, in the height of obstinacy, proceed in that most ungodly and devilish study of magick.

Now, amongst that whole society, the prime man for a magician is a French jesuit, whom the King of France himself had in so high estimation, that he admitted him not only to his princely table, but also to familiar conferences in private; concerning whom the jesuits themselves did make their boast, that he had a glass made by art-magick, wherein he could plainly represent, unto the king, whatsoever his majesty desired to see: Insomuch that there was nothing so secretly done or consulted upon in the most private room of any cloister or nunnery of other orders, which he could not easily and instantly discover and disclose, by this his enchanted, or, rather, devilish glass.

And, indeed, it was by the art and means of this magician jesuite, that their society was confident, that they should be able to draw on their side one of the most potent princes of the empire, although a protestant; forasmuch, as he was observed to be somewhat delighted in the study of magick.

Now, as for those whom they take in as novices to be instructed in this way, they expound unto them those nine hundred propositions, which Picus, Earl of Mirandula, published at Rome: As, also, the book of Johannes Trithemius, together with a tract or treatise touching abstruse or hidden philosophy, written by Cornelius Agrippa: Likewise Theophrastus, concerning the constellations and seals of the planets, with the Steganographia of I know not what abbot, and the art of Paul to procure revelations: Meaning St. Paul, whom they affirm to have been instructed in the magick art, and thereby to have understood such high revelations, and profound mysteries.

Yea, they blush not to affirm, that St. John was an excellent magician: Nor do they stick to say, That even our blessed Saviour Christ Jesus himself was a most absolute and perfect magician, as mine own ears have heard it oftener than once or twice related by some of that society, and such as I am able to nominate.

And thus much for the jesuits church: Only take this direction along with you; those vaults and rooms under ground, which I mentioned even now, those secret conveyances, and Circean dens, are for the most part contrived to be under the choir, or cloister, not where the people do walk or stand.

And now when thou shalt pass from their temple into their study (for I will say nothing touching their parlours or chambers, refectories or places of recreation, instruction of novices who are newly admitted, and the training up of other scholars committed to the jesuits tuition; nor yet touching the method and order of their studies, but will reserve that for another discourse; seeing those passages are, for the most part, known abroad already, being discovered by another.) When, I say, thou shalt enter into their publick library, thou shalt find a most exquisite choice of authors of all sorts, all of them most curiously bound up in leather or parchment, with fillets of silver or gold: And as for such whereof there is daily use, they are laid in order upon desks, fastened with chains upon a long table.

But, as for the inner library, that is only reserved for the fathers of the society: It is free for none but them to go in thither, and to borrow thence what books they think good. Those ordinary books are only free for the juniors of the society, nor may they take a sentence out of the rest, without special leave obtained from the regent.

Moreover, in this first library, are no heretical books, as they call them, but only the writings of most approved authors and catholicks all: For they hold any other unworthy to be placed amongst them, as fearing, perhaps, they should infect the rest.

Look, therefore, upon thy left hand, and there thou shalt see the wretched books of hereticks, as they term them, standing all in mourning for the faults of their authors, bound up in black leather, or parchment blacked over, with the very leaves thereof dyed in black.

Of these, not one of the fathers themselves may make choice or use, without leave obtained from the regent before-hand: But your inferior jesuits, and younger novices, may not be so bold, as to desire the sight of any one of them, except he will, before-hand, with all virulency and bitterness, rail upon and disgrace the author, whom he desireth to see, by some infamous libel, and scurrilous satyrical verse, or writing.

In the midst of these several libraries, is placed a study, being divided into many seats distinct, and separate one from another, with a blue covering: On the right side whereof, sit the fathers; on the left, the under-graduates, who have already taken some degrees upon them. The other novices, or fresh-men, as we call them, sit mixed with the fellow-commoners, that they may take notice of them, and every man in his turn beat into them, by continual discourses, the sweetness and excellency of the order of jesuits; especially, into such as are of the richer sort, or wealthy heirs.

I will say no more at this time, as touching their studies; but I will describe briefly the manner of the visitation, which every provincial maketh; because it is a point, which as I think, and for any thing that I ever read or heard, hath been never hitherto divulged by any.

Now every provincial taketh his denomination from the province, or kingdom rather, which is committed to his charge and oversight. His place is to visit the several colleges, to take an account of their revenues, and oversee their expences exactly and punctually: To take notice what noble personages commit their sons to the tuition of the society, and how many they are in number? Whether there be not yearly an increase of scholars, as also of their means and revenues? Whether there be any converted from Lutheranism, and how many such?

If there be no such thing, or if the popish religion hath lost ground, or if there be any decrease of their wealth, he sharply reproveth their sloth and neglect, and chargeth strictly, that they make an amends for the wrong they have done, and loss they have received in this case: But, if they have bestirred themselves bravely, and converted, as they call it, or rather perverted many souls to popery; if they have been frugal, and scraped wealth together, he praiseth them very highly, and extolleth them to the skies. Moreover, he demandeth, What is the opinion of the neighbouring hereticks concerning them? What are the

projects of the nobles? What meetings they have? How many? And where? What they consult upon? What they resolve to do? Whether the heretical princes, as they term them, delight to live at home, or abroad? To whom they resort most frequently? What is the several disposition of every one of them? In what things he is observed to take most delight? Whether he take any care of his people, or not? Whether he be a religious prince, or not? Or rather, Whether he be not a man, who delights to take his pleasure in drinking, wenching, or hunting? Whether he has any catholicks about him, or that are near unto him? What the people report abroad concerning their own princes? Whether the churches of the adversaries be full of resort, or not? Whether the pastors of those churches be learned and diligent men in their place and calling, or otherwise lazy lubbers, and unlettered? Whether the profession of divinity thrives in the neighbouring university of hereticks? Whether their divines maintain frequent disputations, and against whom principally? What books they have published of late, and upon what subject?

To these, and sundry such questions, if the regent and the rest of the fathers do answer punctually, he doth wonderfully commend their industry and vigilancy.

If he find them defective in answering to these, or any such demands, he reproveth them sharply, saying: What mean you, my masters? Do you purpose, like lazy companions, to undo the church of Rome? How do you suppose your slothfulness, in these weighty affairs, can be excused before his holiness? How is it, that you presume to take these places upon you, and to manage them no better? What, or whom are you afraid of? Why do not you buckle up yourselves better to your business, and perform your places like men? These things, if you had been such men as you ought to be, had not been to do now. These things should have been done long before this time. Do you observe the incredible watchfulness of the hereticks, and can you be lazy? And, with these or the like speeches, he whetteth them on to their duty.

At the last he inquireth as touching the scholars, fellow-commoners, novices, and the rest, How many they are in number? How much every one hath profited? To what study, or delight, each one is inclinable? Whether there be any one amongst them that is scrupulous, or untractable, or not a fit subject to be wrought upon? For he adjudgeth every such an one fitting to be removed from the study of divinity, except he have been very well exercised in the disputations in schools, and have a very great and good conceit of their religion beaten into him. Moreover, he inquireth, If they have any one in the college, who can be contented, for the advantage of the catholick cause, to undertake any laudable attempt, and to spend his blood in the cause, if at any time necessity should seem to require it?

And, at last, he sendeth away all these informations, being sealed up, unto the father-general at Rome, by whom they are immediately made known to the pope himself, and his conclave of cardinals; and so, by this means, an order is taken, that there is no matter of action set on foot, nothing almost consulted upon, throughout the whole Christian world,

which is not forthwith discovered unto the pope by these traitors, that lurk in every state and kingdom. Also, it is not to be omitted, that the jesuits are translated by their provincial from one college to another, and that for the most part, once in three years, that so the provincial, out of their several discoveries, may attain to unlock all the most secret cabinets of the prince and state, where he doth reside.

In the last place, I will add, instead of a corollary, some strange and wonderful devices of the jesuits, which, being but of late newly hammered in the forge, they have earnestly endeavoured, yea, and at this day do labour, tooth and nail, to put in practice, by publick consent, for an innovation to be made, both in the church and state, throughout the whole Roman empire. To this end, their chief and only aim is, how to set the princes of the empire together by the ears, and, by taking off some of the principal doctors of the church, to bring the tyranny of the Spaniard, and the primacy of the pope, into Germany. Concerning which very project I have heard the provincial Del-Rio himself discoursing sometimes, whose plots and machinations were such as follow :

In the first place, saith he, care and pains must be used to estrange the affections of the princes of the empire one from another.

Now the means, said he, to effect that, is to work upon their contrariety of opinions in matters of religion : And, for this end, let the emperor be incited to make a declaration, That he will not grant liberty of conscience in matters of religion; except there shall first be a restitution made of such goods, as were taken from the clergy upon the treaty at Passau; for this is a point, whereat they will stick assuredly, and deny it.

Let the emperor thereupon send his princes, and demand the same of the cities of the empire. They will either obey or deny; if they consent, and obey, all is well; if they refuse, let him proclaim them rebels, and expose them to be seized upon by the next neighbouring princes; but still let the matter be so carried, that he be sure to oppose a Lutheran and a Calvinist, the one against the other.

Moreover, some device must be found out, that the Duke of Bavaria may fall foul, either upon the Elector Palatine, or upon the Duke of Wittembergh, for then may the emperor be easily won to proclaim him traitor, whom the Duke of Bavaria shall distaste, and all means be taken away of making pacification either with Papist or Calvinist for them; besides, thereby will be raised unreconcilable divisions in the empire, never to be quenched before an highway be made for the accomplishment of our desires. For the further ripening of which design, the jesuits bethought themselves further of this stratagem: It will follow, say they, necessarily when any city of the empire shall be proclaimed rebellious, that every several prince will be more ready and willing to serve his own turn, upon the spoil thereof, than to admit any other that shall be emulous of the same booty to prevent him. This for the generality. More particularly yet, means must be found out to set the princes of Saxony at difference, that their strength and power may be broken, or at least weakened.

Now that may be most conveniently effected thus :

First, If the administration of the primacy of Magdeburgh, which now is vacant, be given to the Bavarian Elector of Cologne, neither the Marquis of Brandenburg, nor the Duke of Saxony, will easily grant their consents thereto.

Secondly, If that succeed not according to our desires, there must be some cause pretended, why the Duke of Saxony either doth seem worthy, or ought to seem worthy, to be removed from the electoral dignity. For if, in times past, the princes of the empire cast down Wenceslaus from the imperial throne, because they had adjudged him a negligent prince ; surely the emperor may take as just an occasion to remove, from the electoral dignity, the Duke of Saxony, who is drunk every day. And, in this respect, let his imperial majesty restore, and confer that dignity, upon the house and family of the Dukes of Weymar. And, because these princes are yet under age, let the administration of that electorship be committed to Henry of Brunswick, a learned and vigilant prince. This project, being once set on foot, cannot chuse but beget infinite distractions, throughout all Saxony ; so shall it come to pass, that they shall waste and weary themselves one against another, and by that means become utterly unable to withstand a common foe, when he shall come upon them.

And as for the Marquis of Brandenburg, and them of Pomerania, let means be used to move the King of Poland, who is the emperor's kinsman, to covenant with his uncle, the King of Sweden, that they two shall invade and divide Prussia, and canton the same ; which thing the Marquis of Brandenburg will oppose with all his powers. Now as concerning the Landgrave of Hesse, he must be urged and solli-cited daily, to divide the inheritance equally with his uncle Lodowick, and to resign the government of Hertsfeld to the Bishop of Wirtzburg ; if he refuse to do so, let him be proclaimed rebel, and let his inheritance be assigned unto his uncle Lodowick.

Moreover, as for the Duke of Wittembergh, and the Elector Palatine, they two may with ease be set together by the ears, if the Duke be commanded to make restitution of some religious houses, or otherwise, upon his refusal, be proclaimed rebel, and some neighbouring monasteries be assigned to the Elector Palatine, and, amongst them, one especially, which he hath been observed to have aimed at long ago.

And these are those killing projects of the jesuits, which I have heard from their own mouths, not without admiration even to astonishment, and they have many more of like sort, all which I do not at this present remember.

Moreover, there hath been a consultation among the jesuits, to send abroad some bold assassins, who, by poison, or by the pistol, may cut off the principal doctors of the reformed churches ; fellows who are so absolute masters in that trade of poisoning, that they are able so to infect platters, salt-cellar, basons, kettles, pots, and caldrons, and such like vessels of ordinary use ; that, although they shall be ten times over

washed and wiped, yet shall they retain the power and infection of most deadly and speedy poison. Wherefore, I humbly advise all godly and religious governors, and ministers of the church, that hereafter they be wary, and cautious, how they trust any, but such; of whose fidelity they have had sufficient trial.

And these things could never have fallen within compass of mine understanding, nor ever did, before such time, as I heard them from the principals and heads of the society of Jesuits, together with many other particulars, which I held myself bound in conscience to reveal to the world, for the good of my country, and of the church of Christ; which although I have for the present only given you as in a rude and first draught; yet I purpose, God willing, in due time, to express the same at large, painting them out in their colours, with circumstances of time, place, and persons.

A Postscript to the Reader.

COURTEOUS Reader (if so thou art pleased to shew thyself, by taking an impartial view of this short, but well intended translation) I doubt not, but by this time thou art able to discern the face of the times, and of thyself to make a true parallel betwixt Germany and us, and dost see evidently the footsteps of that mystery of iniquity, which, by the contrivements of the pragmatistical society of Jesuits, hath for many years been set at work amongst us. As there the foundation of their work was laid in working upon their diversities in opinions, and seconded by advantage, taken upon the several humours of the princes, propounding to each one some such ends, as his nature most affected; so may I truly say, they have done here also. To what other end was the pestilent doctrine of Arminius introduced, whereby to make a party, that might prove strong enough in time to oppose the Puritan faction, as they stiled it? Why was so great care and pains taken to leaven all considerable sorts of people of what degree soever, with those erroneous points, but to the same end? And can we chuse but think that Socinianism crept in after Arminianism, purposely to make the breach the wider, that it might be large enough to let in popery, at the full, in conclusion? Doubtless, as our Saviour sometimes said to his disciples, in another case, John iv. 35, 'Say not ye, there are yet four months, and then cometh harvest? Behold, I say unto you, lift up your eyes, and look on the regions, for they are white already unto harvest': So may I say now, most men thought it might yet be four months, or some good distance of time before the Jesuit could attain to reap the harvest of his desire amongst us. 'But I say unto you, lift up your eyes, and look on the regions, they are white already unto harvest': Or, if I may not say they are, because God's gracious hand of providence hath disappointed their hopes, yet I assure myself, that any man of ordinary understanding will confess, that within the space of this year last past, our land was already white to their harvest; the king's majesty was wrought to an evil opinion of

his people, the commons were grown discontented with the present government, two adverse armies were lodged in our land, and all this, with a new whole army of evil consequents, brought on by the secret contrivements of our adversaries, and on all hands the way was so prepared, altars set up, and priests enough in readiness, that nothing was wanting, to ripen their harvest for the sickle, but a proclamation for setting up publick mass, in all our churches; which things, when I seriously considered, and now of late, looking again upon the regions, I discern what alteration God hath begun to work amongst us by the pious endeavours of our happy parliament, I cannot but take up that saying of the psalmist, Psalm cxxiv, 1, 2, 3. 'If the Lord had not been on our side,' may England now say: 'If the Lord had not been on our side, when men rose up against us, they had then swallowed us up quick, when their wrath was kindled against us; then the water had drowned us, and the stream had gone over our soul;' if the plots of the pacific Arminians had once set up the bridge of reconciliation, whereon the protestant and papist should have met, and the trap-door had taken effect, then the swelling waves had gone over our souls indeed: 'But praised be the Lord, who hath not given us as a prey unto their teeth; our soul is escaped even as a bird out of the snare of the fowler, the snare is broken, and we are delivered;' so that we may truly say, as the psalmist there concludeth, 'Our help standeth in the name of the Lord, who made both heaven and earth.' And now what remaineth for us to do but this? By daily and earnest prayer, to beg a blessing upon our gracious Sovereign, the King's Majesty, and upon the high and honourable court of parliament, that God will be graciously pleased to finish, by their happy consultations and pious endeavours, that good work of mercy, which he hath so graciously begun for this land and nation, to make a total and intire reformation in church and state, and particularly to root out this disloyal brood of *Inigo Loyola* from amongst us, preventing their plots, and turning the wisdom of their Aitophels into foolishness, that the gospel of Jesus Christ may have free passage amongst us, until his return to judge the quick and dead. This is, and shall be the daily prayer of,

Thy well-wishing friend and servant in the duties of a
minister of Christ gospel.

W. F. X. B.

A CONFERENCE

BETWEEN

THE TWO GREAT MONARCHS OF FRANCE AND SPAIN,

Concerning these our present Proceedings in England.

Wherein is discoursed of the Being of our Runaways under their Dominions, with a Consideration of their Dangers past, in the Wars betwixt England and them.

Printed in the Year 1641. Quarto, containing eight Pages.

France.

HOW now, Brother Spain? How run the cheating dice of this inconstant world?

Spain. Sometimes fives, sometimes sevens, sometimes nines, all upon odd numbers; but, if you will but give me the hearing of it, I will tell you such a sackful of news from England, that will make you laugh; hold, buttons, hold.

F. Prithee be brief, I long to hear the news.

S. Then thus: There is a thing held there at this time, which is called a Parliament, in which, as it seems, they use to chide offenders; now there were some which favoured our religion somewhat more than others, and faith, for fear of chiding, they are run for it, and lie now some under the covert of thy wings, and some under mine; and, on the other side, for they are, a many of them, in the extremes; some are so puffed up with pride, that honesty hath got the upper hand: the coblers and weavers, sow-gelders and tinkers, chimney-sweepers and butchers, do not stick to say, but that the spirit moves them to preach; nay, they do it as jealously, as our ancient sex hath done at Amsterdam over a hotchpotch.

F. Faith, this news makes me smile, indeed; but, prithee, tell me, hast thou not some armada intended against that little island, that temple of delight, that paradise, in comparison of all the world again? Have the jesuits no brains left, to invent a second powder-plot, or one as bad, or else worse? Doth the dragon always wake that keeps these golden apples, the tree of Minerva?

S. Yes, they have brains enough, and courage enough, in setting such plots on foot, but, a pox on it, it takes no effect; for one had as good shoot arrows at the stars, and have a cracked coxcomb for one's labour, as any ways meddle with them; for God doth overlook them, and keep them safe, else could they never have escaped all those plots which I, and mine, had laid for them.

F. Why, sure, they are as wicked as any nation under the sun, How then should God be said to protect them?

S. For the love he bears to some; for there are very honest-meaning men amongst them, which do make a conscience of their ways, which thing is most acceptable of any thing in the sight of God.

F. But, in faith, now were the time, whilst the Scots are intrenched, and their subjects distracted, some on this side, some on that side, to come with some armada, or forward some gunpowder-plot, or some such grand treason. Oh the fruition of that same little sweet garden-plot would make France and Spain flourish.

S. Hark a while, and you will soon grant how ridiculous this childish folly of yours is; a wise man will never attempt impossibilities; for, certainly, it is as easy for any single arm to equal a whole troop of men, as for you or I to effect our wishes in this thing; for, certainly, they have borrowed from Jupiter, the heathen god, Argus with his hundred eyes, to overlook all our actions.

F. Tush, tush, thou art just like a coward, who, if he be once beaten, will hardly come on to the combate again; because your invincible armada, as you termed it, was bumbasted by the subjects of a maiden Queen, therefore it is impossible for us to do any good upon the same land; come, thou talkest idly for want of sleep.

S. Why, brother of France, did you never feel the force of England? Look you but back to the Black Prince, where you shall find that the then predecessor sent him a ton of tennis-balls, instead of his right he held by the Salick law? but he turned his balls into gun-stones, and kept such a racket about France, that he made the whole court of Gallia shake.

F. I do not deny, but that we have both smarted enough, and that is the reason I am so willing to take an advantage against it.

S. I tell thee what, brother, I can compare England more commodiously to nothing than a lion which lay sleeping by the way-side; the traveller, coming by, would needs make sport with the lion, as he said, by hollowing in his ear to awake him, which he did; the lion, being not used to such unaccustomed noise, rose, not quite awaked, and tore this traveller in pieces. Just thus it fareth with us at this time, for England is asleep, and unless it be awaked, we need not fear any thing; but if we compel it to draw its sword once, it is not all our intreaties will sheathe it again.

F. Well, thou hast given me such an *item*, that I will look before I will leap; I will surely have some great occasion, before I will meddle with them.

S. Faith, we have business enough of our own, if we would but look after it.

F. True, yet I thank God I am in peace with the whole world.

S. I would that I could say so too, for I protest ingenuously, I can scarce tell which way to turn myself, for on one side of me the great Turk lies, like some unseen monster, devouring all which shall come before him; on the other side, the Hollander is as a devil to me, for I cannot have a ship on the seas, but if espied by him, he is sure to sink for it. And, again, I look every day when the Portuguese will

fasten on me; and, above all things, I fear them, because they have been for men in England.

F. Why, I prithee, whither wilt thou fly in this distress?

S. I know not whither, unless I shall do, as the fool said he would, put on a clean shirt and drown myself.

F. Then what will become of thy soul?

S. Psha, I will have a pardon from the pope before I do it.

F. That was well thought on indeed; but hark, I prithee, what dost thou think of the pope's imperious government? Dost thou think it to be lawful according to the commands of God?

S. Faith, I cannot tell; but I had a little pity and compunction rose the other day in my stomach towards the protestants, but they were presently down again; I hope it is the right way.

F. I hope so too; for, if it be not, I protest we are in the wrong way, and a wrong way will lead us to a wrong place, and that wrong place will not yield us half the delight we expect; wherefore it behoves us to take heed what we do, and, for all the pox, look to ourselves.

S. As you think, so think I; for certainly we are guided by some wandering planet; for such sudden changes in such great personages, as I have seen many, stand for example to confirm their assertion to be true. But, faith, methinks I could even love the English heretical religion; what musick hath transformed me from myself? Where is now the pride of our ancient religion, that it is thus turned topsy-turvey? What, have we lost our boasted freedom? What unknown desires are these which invade and take possession of my frightened soul? Are all those virtuous objects, which I heretofore perceived in our Roman religion, vanished? Have I stood the shocks of so many fierce wars for religion sake, stopped mine ear against all Syren notes that heresy ever sung? To draw my barque off faith (that with wonder hath kept a constant and honoured course in this channel of my religion) to be carried into the gulf of a continual heresy: But now, methinks, I feel my soul return again, and answer: I will first with mine own hands dig up a grave to bury the momental heap of all my years, before I will change my plighted faith unto the church of Rome.

F. Well said at last; in troth, I was afraid that the beast of Rome had been some kin to a stag, and had used to shed her horns; but thank God it is no worse.

S. If I have offended, at the worst, to die is a full period to calamity.

F. But is there nothing to be felt after death? Dost thou think that thou thus singest a *requiem* to thy soul before thou diest? I prithee, consider, and tell me what thou thinkest on it?

S. Why, I have heard, that there is a place called the Elysian fields, where those that have done well shall rest in peace. I have heard again, that our English hereticks hold, that there is only a heaven and a hell: those that do well shall enjoy the joys of heaven, and those that do ill shall feel the torments of hell: but our pope makes us believe that there is a purgatory; but, faith, I cannot tell what to think of it.

F. Well, farewell, brother, I protest, I persuade myself that the world is almost at its end, for I fear it is buzzed abroad in England, that the monuments of the kingdom shall all be pulled down, and crosses, of which, I have heard, that Abington and Cheapside crosses excel all: also, there must be no organs, to the utter undoing of all singing men. But, brother, farewell; the news you hear, I pray, inform me of.

S. I will; farewell, farewell.

FRAGMENTA REGALIA:

O R,

OBSERVATIONS ON THE LATE QUEEN ELISABETH, HER TIMES AND FAVOURITES,

*Written by Sir Robert Naunton, Master of the Court of
Wards.*

Printed Anno Dom: 1641, Quarto, containing forty-nine Pages.

TO take her in the original, she was the daughter of King Henry the Eighth, by Ann Bullen, the second of six wives which he had, and one of the maids of honour to the divorced Queen, Katharine of Austria (or as the now stiled Infanta of Spain) and from thence taken to the royal bed.

That she was of a most noble and royal extract by her father, will not fall into question, for on that side was disembogued into her veins, by a confluency of blood, the very abstract of all the greatest houses in Christendom; and remarkable it is, considering that violent desertion of the royal house of the Britons, by the intrusion of the Saxons, and afterwards by the conquest of the Normans: that, through vicissitude of times, and after a discontinuance almost of a thousand years, the scepter should fall again, and be brought back into the old regal line and true current of the British blood, in the person of her renowned grandfather, King Henry the Seventh, together with whatsoever the German, Norman, Burgundian, Castilian, and French achievements, with their intermarriages, which eight-hundred years had acquired, could add of glory thereunto,

By her mother she was of no sovereign descent, yet noble and very ancient in the family of Bullen; though some erroneously brand them with a citizen's rise, or original, which was yet but of a second brother, who (as it was divine in the greatness and lustre to come to his house) was sent into the city to acquire wealth, *ad ædificandam antiquam domum*, unto whose atchievements (for he was Lord Mayor of London) fell in, as it is averred, both the blood and inheritance of the eldest brother, for want of issue males, by which accumulation the house within few descents mounted, *in culmen honoris*, and was suddenly dilated in the best families of England and Ireland; as Howard, Ormônd, Sackville, and others.

Having thus touched, and now leaving her stipe, I come to her person, and how she came to the crown by the decease of her brother and sister.

Under Edward the Sixth, she was his, and one of the darlings of fortune, for, besides the consideration of blood, there was between these two princes a concurrency and sympathy of their natures and affections, together with the celestial bond (confirmative religion) which made them one; for the king never called her by any other appellation but his sweetest and dearest sister, and was scarce his own man, she being absent; which was not so between him and the Lady Mary.

Under her sister* she found her condition much altered, for it was resolved, and her destiny had decreed it, for to set her apprentice in the school of affliction, and to draw her through that ordeal-fire of trial, the better to mould and fashion her to rule and sovereignty; which finished, Fortune calling to mind, that the time of her servitude was expired, gave up her indentures, and therewith delivered into her custody a scepter, as the reward of her patience; which was about the twenty-sixth of her age; a time in which, as for her internals grown ripe, and seasoned by adversity, in the exercise of her virtue; for, it seems, fortune meant no more but to shew her a piece of variety, and changeableness of her nature, but to conduct her to her destiny, *i. e.* felicity.

She was of person tall, of hair and complexion fair, and therewith well-favoured, but high-nosed; of limbs and features neat, and, which added to the lustre of these external graces, of a stately and majestick comportment, participating in this more of her father than of her mother, who was of an inferior alloy, plausible, or as the French hath it, more *debonaire* and affable; virtues, which might well suit with Majesty, and which, descending as hereditary to the daughter, did render her of a sweeter temper, and endeared her more to the love and liking of the people, who gave her the name and fame of a most gracious and popular princess.

The atrocity of the father's nature was rebated in her, by the mother's sweeter inclinations; for (to take, and that no more than the character out of his own mouth) 'he never spared man in his anger, nor woman in his lust'.

If we search further into her intellectuals and abilities, the wheel,

course of her government deciphers them to the admiration of posterity, for it was full of magnanimity, tempered with justice, piety, and pity, and, to speak truth, noted but with one act of stain or taint; all her deprivations, either of life or liberty, being legal and necessitated; she was learned, her sex and time considered, beyond common belief: for, letters about *this* time, or somewhat *before*, did but begin to be of esteem, and in fashion, the former ages being overcast with the mists and fogs of the Roman * ignorance, and it was the maxim that over-ruled the foregoing times, that 'ignorance was the mother of devotion.' Her wars were a long time more in the auxiliary part, and assistance of foreign princes and states, than by invasion of any; till common policy advised it †, for a safer way, to strike first abroad, than at home to expect the war, in all which she was ever felicitous and victorious.

The change and alteration of religion upon the instant of her accession to the crown (the smoke and fire of her sister's martyrdoms scarcely quenched) was none of her least remarkable actions; but the support and establishment thereof with the means of her own subsistence amidst so powerful enemies abroad, and those many domestick practices, were, methinks, works of inspiration, and of no human providence, which, on her sister's departure, she most religiously acknowledged, ascribing the glory of her deliverance to God above; for, she being then at Hatfield, and under a guard, and the parliament sitting at the self-same time, at the news of the Queen's death, and her own proclamation by the general consent of the house and the publick sufferance of the people; falling on her knees, after a good time of respiration, she uttered this verse of the psalm:

A Domino factum est istud, et est mirabile in oculis nostris ||.

And this we find to this day on the stamp of her gold, with this on her silver:

Posui Deum adiutorem meum §.

Her ministers and instruments of state, such as were *participes curarum*, or bore a great part of the burthen, were many, and those memorable; but they were only favourites and not minions, such as acted more by her princely rules and judgments, than by their own wills and appetites; for, we saw no Gaveston, Vere, or Spencer, to have swayed alone, during forty-four years, which was a well settled and advised maxim; for it valued her the more, it awed the most secure, it took best with the people, and it staved off all emulations, which are apt to rise and vent in obloquious acrimony even against the prince, where there is one only admitted into high administrations.

* viz. Popish. † See Manley's State of Europe, printed 1689, in a subsequent volume.

|| This is the work of the Lord, and it is wonderful in our sight.

§ I have chosen God for my help,

A MAJOR PALATII.

THE principal note of her reign will be, that she ruled much by faction and parties, which she herself both made, upheld, and weakened, as her own great judgment advised; for I do dissent from the common and received opinion, that my Lord of Leicester was *absolute* and *alone* in her grace: and, though I come somewhat short of the knowledge of these times, yet, that I may not err, or shoot at random, I know it from assured intelligence that it was not so, for proof whereof amongst many (that could present) I will both relate a story and therein a known truth, and it was thus: Bowyer, the gentleman of the black rod, being charged by her express command, to look precisely to all admissions in the privy chamber, one day staid a very gay captain (and a follower of my lord of Leicester) from entrance, for that he was neither well known, nor a sworn servant of the Queen; at which repulse, the gentleman (bearing high on my Lord's favour) told him, that he might, perchance, procure him a discharge. Leicester coming to the contestation said publicly, which was none of his wonted speeches, that he was a knave, and should not long continue in his office, and so turning about to go to the Queen, Bowyer, who was a bold gentleman and well beloved, stepped before him, and fell at her Majesty's feet, relates the story, and humbly craves her grace's pleasure, and in such a manner as if he had demanded, whether my Lord of Leicester was King, or her Majesty Queen; whereunto she replied (with her wonted oath, God's-death) my Lord, I have wished you well, but my favour is not so locked up for you, that others shall not participate thereof; for I have many servants unto whom I have and will, at my pleasure, bequeath my favour, and likewise resume the same; and if you think to rule here, I will take a course to see you forthcoming*; I will have here but one *mistress*, and no *master*, and look that no ill happen to him, lest it be severely required at your hands; which so quailed my Lord of Leicester, that his faint humility was, long after, one of his best virtues.

Moreover, the Earl of Sussex, then lord chamberlain, was his professed antagonist, to his dying-day; and for my Lord Hunsdown, and Sir Thomas Sackville, after lord treasurer, who were all contemporaries; he was wont to say of them, that they were of the tribe of Dan, and were, *Noli me tangere*, implying, that they were not to be contested with, for they were, indeed, of the Queen's nigh kindred.

From whence, and in many more instances, I conclude, that she was absolute and sovereign mistress of her graces, and that all those, to whom she distributed her favours, were never more than tenants at will, and stood on no better terms than her princely pleasure, and their good behaviour.

And this also I present as a known observation, that she was, though very capable of counsel, absolute enough in her own resolution; which was

* i. e. I will confine you.

ever apparent even to her last, and in that of her still aversion to grant Tyrone * the least drop of her mercy, though earnestly and frequently advised thereunto, yea, wrought only by her whole council of state, with very many reasons; and, as the state of her kingdom then stood, I may speak it with assurance, necessitated arguments.

If we look into her inclination as it was disposed to magnificence or frugality, we shall find in them many notable considerations, for all her dispensations were so poised, as though discretion and justice had both decreed to stand at the beam, and see them weighed out in due proportion, the maturity of her paces and judgments meeting in a concurrence; and that in such an age that seldom lapseth to excess.

To consider them a-part, we have not many precedents of her liberality, nor any large donatives to particular men; my Lord of Essex's Book of Parks excepted, which was a princely gift; and some more of a lesser size, to my Lord of Leicester, Hatton, and others †.

Her rewards chiefly consisted in grants and leases of offices, and places of judicature, but for ready money, and in great sums, she was very sparing; which we may partly conceive, was a virtue rather drawn out of necessity than her nature; for she had many layings-out, and as her wars were lasting, so their charge increased to the last period. And I am of opinion with Sir Walter Rawleigh, that those many brave men of her times, and of the militia, tasted little more of her bounty, than in her grace and good word with their due entertainment; for she ever paid her soldiers well, which was the honour of her times, and more than her great adversary of Spain could perform; so that, when we come to the consideration of her frugality, the observation will be little more, than that her bounty and it were so woven together, that the one was ‡ stained by an honourable way of sparing.

The Irish action we may call a malady, and a consumption of her times; for it accompanied her to her end; and it was of so profuse and vast an expence, that it drew near unto a distemperature of state, and of passion in herself; for, towards her last, she grew somewhat hard to please, her armies being accustomed to prosperity, and the Irish prosecution not answering her expectation, and her wonted success; for, it was a good while an unthrifty and inauspicious war, which did much disturb and mislead her judgment; and, the more, for that it was a precedent taken out of her own pattern.

For, as the queen, by way of division, had, at her coming to the crown, supported the revolted states of Holland, so did the King of Spain turn the trick upon herself, towards her going out, by cherishing the Irish rebellion; where it falls into consideration, what the state of this kingdom, and the crown revenues, were then able to endure and embrace.

If we look into the establishments of those times with the best of the Irish army, counting the defeatures of Blackwater, with all the precedent expences, as it stood from my Lord of Essex's undertaking of the surrender of Kingsalé, and the General Mountjoy; and, somewhat after,

* The Irish Rebel.

† See her last speech in vol. 11. p. 352.

‡ al. not.

we shall find the horse and foot troops were, for three or four years together, much about twenty-thousand, besides the naval charge, which was a dependant of the same war, in that the queen was then forced to keep in continual pay a strong fleet at sea, to attend the Spanish coasts and parts, both to alarm the Spaniards, and to intercept the forces, designed for the Irish assistance; so that the charge of that war alone did cost the queen three-hundred-thousand pounds per annum, at least, which was not the moiety of her other disbursements and expences; which, without the publick aids, the state of the royal receipts could not have much longer endured; which, out of her own frequent letters and complaints to the deputy Mountjoy, for cashiering of that list as soon as he could, might be collected, for the queen was then driven into a strait.

We are naturally prone to applaud the times behind us, and to vilify the present; for, the concurrent of her fame carries it to this day, how loyally and victoriously she lived and died, without the grudge and grievance of her people; yet the truth may appear without retraction, from the honour of so great a princess. It is manifest, she left more debts unpaid, taken upon credit of her privy-seals, than her progenitors did, or could have taken up, that were an hundred years before her; which was no inferior piece of state, to lay the burthen on that house*, which was best able to bear it at a dead lift, when neither her receipts could yield her relief, at the pinch, nor the urgency of her affairs endure the delays of parliamentary assistance. And, for such aids, it is likewise apparent, that she received more, and that with the love of her people, than any two of her predecessors, that took most; which was a fortune strained out of the subjects, through the plausibility of her comportment, and (as I would say, without offence) the prodigal distribution of her grace to all sorts of subjects; for, I believe, no prince living, that was so tender of honour, and so exactly stood for the preservation of sovereignty, was so great a courtier of the people, yea, of the commons, and that stooped and declined low in presenting her person to the publick view, as she passed in her progress and perambulations, and in her ejaculations of her prayers on the people.

And, truly, though much may be written in praise of her providence, and good husbandry, in that she could, upon all good occasions, abate her magnanimity, and therewith comply with the parliament, and so always come off both with honour and profit; yet must we ascribe some part of the commendation, to the wisdom of the times, and the choice of parliament-men; for I said † not, that they were at any time given to any violent or pertinacious dispute; the elections being made of grave and discreet persons, not factious and ambitious of fame; such as came not to the house with a malevolent spirit of contention, but with a preparation to consult on the publick good, and rather to comply, than to contest with majesty; neither dare I find ‡, that the house was weakened and pestered, through the admission of too many young heads, as it hath been of latter times; which remembers me of the Recorder Martin's speech, about the truth of our late sovereign lord,

* al. Horse.

† al. Find.

‡ al. Say.

King James *, when there were accounts taken of forty gentlemen, not above twenty, and some not exceeding sixteen years of age; which made him to say, That it was the ancient custom for old men to make laws for young ones; but there he saw the case altered, and that there were children in the great council of the kingdom, which came to invade and invert nature, and to enact laws to govern their fathers. Such † were in the house always ‡, and took the common cause into consideration; and, they say, the Queen had many times just cause, and need enough, to use their assistance; neither do I remember, that the house did ever capitulate, or prefer their private to the publick, and the Queen's necessities, but waited their times, and, in the first place, gave their supply, and according to the exigence of her affairs; yet failed not at the last to attain what they desired, so that the Queen, and her parliaments, had ever the good fortunes to depart in love, and on reciprocal terms, which are considerations that have not been so exactly observed in our last assemblies. And, I would to God they had been; for, considering the great debts left on the King ||, and to what incumbrances the house itself had then drawn him, his Majesty was not well used, though I lay not the blame on the whole suffrage of the house, where he had many good friends; for, I dare avouch it, had the house been freed of half a dozen popular and discontented persons (such as, with the fellow that burnt the temple of Ephesus, would be talked of, though for doing of mischief) I am confident the King had obtained that which in reason, and, at his first occasion, he ought to have received freely, and without condition. But pardon this digression, which is here remembered, not in the way of aggravation, but in true zeal of the publick good, and presented in caveat of future times: for, I am not ignorant how the genius and spirit of the kingdom now moves to make his Majesty amends, on any occasion; and how desirous the subject is to expiate that offence at any rate, may it please his Majesty to make trial of his subjects affections; and at what price they value now his goodness and magnanimity.

But, to our purpose: The Queen was not to learn that, as the strength of the kingdom consisted in the multitude of her subjects, so the security of her person consisted and rested in the love and fidelity of her people, which she politically affects (as it hath been thought) somewhat beneath the height of her natural spirit and magnanimity.

Moreover, it will be a true note of her providence, that she would always listen to her profit: for she would not refuse the information of meanest personages, which proposed improvement; and had learned the philosophy of (*Hoc agere*) to look unto her own work: of which there is a notable example of one Carmarthen, an under officer of the custom-house: who, observing his time, presented her with a paper, shewing how she was abused in the under-renting of the customs, and therewith humbly desired her Majesty to conceal him, for that it did concern two or three of her great counsellors §, whom customer Smith had bribed with two-thousand pounds a man, so to lose the Queen

* The First. † Fathers. ‡ During Queen Elisabeth's Reign.

§ Burleigh, Leicester, and Walsingham.

|| Charles the First.

twenty-thousand pounds per annum; which being made known to the Lords, they gave strict order that Carmarthen should not have access to the back-stairs; but, at last, her Majesty smelling the craft, and missing Carmarthen, she sent for him back, and encouraged him to stand to his information: which the poor man did so handsomely, that, within the space of ten years, he was brought to double his rent, or leave the custom to new farmers: so that we may take this also in consideration, that there were of the Queen's council, which were not in the catalogue of saints.

Now, as we have taken a view of some particular motives of her times, her nature and necessities, it is not without the text, to give a short touch of the helps and advantages of her reign, which were not without * paroles; for she had neither husband, brother, sister, nor children to provide for, who, as they are dependants on the crown, so do they necessarily draw livelihood from thence, and oftentimes exhaust and draw deep, especially when there is an ample fraternity royal, and of the princess of the blood, as it was in the time of Edward the Third, and Henry the Fourth. For, when the crown cannot, the publick ought to give honourable allowance; for, they are the honour and hopes of the kingdom; and the publick, which enjoys them, hath the like interest with the father, which begat them, and our common law, which is the inheritance of the kingdom, did ever, of old, provide aids for the primogenitus †, and the eldest daughter: for that the multiplicity of courts, and the great charges, which necessarily follow a King, a Queen, a Prince, and royal issue, was a thing which was not *in rerum natura* ‡, during the space of forty-four years||; but worn out of memory, and without the consideration of the present times, insomuch as the aids, given to the late and right noble Prince Henry, and to his sister, the Lady Elisabeth, which were at first, generally received as impositions for knighthood, though an ancient law, fell also into, the imputation of a tax of nobility, for that it lay long covered in the embers of division, between the houses of York and Lancaster, and forgotten or connived at, by the succeeding princes: So that the strangeness of the observation, and the difference of those latter reigns, is, that the Queen took up much beyond the power of law, which fell not into the murmur of people; and her successors took nothing but by warrant of the law, which nevertheless was received, through disuse, to be injurious to the liberty of the kingdom.

Now before I come to any mention of her favourites, for hitherto I have delivered but some oblivious passages, thereby to prepare and smooth a way, for the rest that follows:

It is necessary, that I touch on the religiousness of the others reign, I mean the body of her sister's § council of state, which she retained intirely, neither removing, nor discontenting any, although she knew them averse to her religion, and, in her sister's time, perverse to her person, and privy to all her troubles and imprisonments.

A prudence, which was incompatible to her sister's nature; for she

* al. were without.

† The eldest son.
English scepter.

‡ Existing.
‡ Mary.

|| Which she ruled the

both dissipated and presented the major part of her brother's council; but this will be of certain, that, how compliable and obsequious soever she found them, yet, for a good space, she made little use of their counsels, more than in the ordinary course of the board, for she had a dormant table in her own privy breast; yet she kept them together, and in their places, without any sudden change; so that we may say of them, that they were then of the court, not of the council; for, whilst she *amazed them by a kind of promissive disputation, concerning the points controverted by both churches, she did set down her own gesticulations, without their privy, and made all their progressions, gradations, but for that the tenents of her secrets, with the intents of her establishments, were pitched, before it was known, where the court would sit down.

Neither do I find, that any of her sister's council of state were either repugnant to her religion, or opposed her doings, Englefeild, master of the wards excepted, who withdrew himself from the board, and shortly after out of her dominions; so pliable and obedient they were to change with the times, and their prince; and of them will fall a relation of recreation: Pawlet Marquis of Winchester, and Lord Treasurer, had served then four princes, in as various and changeable times and seasons, that, I may well say, no time, nor age, hath yielded the like precedent; this man being noted to grow high in her favour (as his place and experience required) was questioned by an intimate friend of his, how he had stood up for thirty years together, amidst the change and ruins of so many chancellors, and great personages; why, quoth the Marquis, *Ortus sum e salice, non ex quercu*, i. e. I am made of pliable willow, not of the stubborn oak. And truly it seems, the old man had taught them all, especially William Earl of Pembroke, for they two were always of the king's religion, and always zealous professors; of these it is said, that, being both younger brothers, yet of noble houses, they spent what was left them, and came on trust to the court, where, upon the bare stock of their wits, they began to traffick for themselves, and prospered so well, that they got, spent, and left more than any subjects from the Normans conquest, to their own times; whereupon it hath been prettily spoken, that they lived in a time of dissolution.

To conclude then, of all the former reign, it is said, that those two lived, and died, chiefly in her grace and favour; by the letter written upon his son's marriage, with the lady Catherine Grey, he had like utterly to have lost himself; but at the instant of consummation, as apprehending the unsafety and danger of intermarriage with the blood royal, he fell at the Queen's feet, where he both acknowledged his presumption, and projected the cause and the divorce together; so quick he was at his work, that, in the time of repudiation of the said Lady Grey, he clapped up a marriage for his son, the Lord Herbert, with Mary Sidney, daughter to Sir Henry Sidney, then Lord Deputy of Ireland, the blow falling on Edward, the late Earl of Hertford, who, to his cost, took up the divorced lady, of whom the Lord Beauchamp was born, and William, now Earl of Hertford, is descended.

I come now to present them to her own election, which were either admitted to her secrets of state, or took into her grace and favour, of whom, in order, I crave leave to give unto posterity a cautious description, with a short character or draught of the persons themselves; for, without offence to others, I would be true to myself, their memories, and merits, distinguishing those of *Militiæ* *, from the *Togati* †; and of both these she had as many, and those as able ministers, as had any of her *Progenitors*.

L E I C E S T E R.

IT will be out of doubt, that my Lord of Leicester was one of the first whom she made master of the horse; he was the youngest son then living of the Duke of Northumberland, beheaded *primo Mariæ* ‡, and his father was that Dudley which our histories couple with Empson; and both be much infamed for the caterpillars of the commonwealth, during the reign of Henry the Seventh, who, being of a noble extract, was executed the first year of Henry the Eighth, but not thereby so extinct, but that he left a plentiful estate, and such a son, who, as the vulgar speaks, it would live without a teat; for, out of the ashes of his father's infamy, he rose to be a Duke, and as high as subjection could permit, or sovereignty endure; and though he could not find out any appellation to assume the crown, in his own person; yet he projected, and very nearly effected it, for his son Gilbert, by intermarriage with the Lady Jane Grey, and so, by that way, to bring it into his loins.

Observations which though they lie beyond us, and seem impertinent to the text, yet are they not much extravagant, for they must lead us, and shew us how the after passages were brought about, with the dependances on the line of a collateral workmanship; and surely it may amaze a well settled judgment to look back into these times, and to consider how the Duke could attain to such a pitch of greatness, his father dying in ignominy, and at the gallows, his estate confiscated for pilling and polling the people.

But, when we better think upon it, we find that he was given up, but as a sacrifice to please the people, not for any offence committed against the person of the king; so that upon the matter he was a martyr of the prerogative, and the king in honour could do no less than give back to his son the privilege of his blood, with the acquiring of his father's profession, for he was a lawyer, and of the King's council, at law, before he came to be *ex interioribus consiliis* §, where, besides the licking of his own fingers, he got the King a mass of riches, and that not with hazard, but with the loss of his life and fame, for the King's father's sake.

Certain it is, that his son was left rich in purse and brain; which are good foundations, and fewel to ambition; and, it may be supposed,

* Camp. † Council.

‡ In the first year of queen Mary. § Of his privy-council.

he was on all occasions well heard of the king, as a person of mark and compassion in his eye, but I find not that he did put up for advancement, during Henry the Eighth's time, although a vast aspirer, and a provident stayer.

It seems, he thought the King's reign was much given to the falling-sickness, but espying his time fitting, and the sovereignty in the hands of a pupil prince, he then thought he might as well put up, for it was the best; for having the possession of blood, and of purse, with a head-piece of a vast extent, he soon got to honour, and no sooner there, but he began to side it with the best, even with the protector *, and, in conclusion, got his and his brother's heads; still aspiring, till he expired in the loss of his own; so that posterity may, by reading of the father, and grandfather, make judgment of the son; for we shall find that this Robert, whose original we have now traced, the better to present him, was inheritor to the genius and craft of his father; and Ambrose, of the estate, of whom hereafter we shall make some short mention.

We took him now as he was admitted into the court and the queen's favours, and here he was not to seek to play his part well and dexterously; but his play was chiefly at the foregame, not that he was a learner at the latter, but he loved not the after-wit, for the report is, (and I think not unjustly) that he was seldom behind-hand with his gamesters, and that they always went with the loss.

He was a very goodly person, tall, and singularly well featured, and all his youth well-favoured, of a sweet aspect, but high fore-headed, which (as I should take it) was of no discommendation; but, towards his latter, and which with old men was but a middle age. He grew high-coloured; so that the queen had much of her father, for, excepting some of her kindred, and some few that had handsome wits in crooked bodies, she always took personage in the way of election, for the people hath it to this day, *King Henry loved a man*.

Being thus in her grace, she called to mind the sufferings of his ancestors, both in her father's and sister's reigns, and restored his and his brother's blood, creating Ambrose, the elder, Earl of Warwick, and himself Earl of Leicester; and as he was *ex primitiis*, or, of her first choice; so he rested not there, but long enjoyed her favour, and therewith what he listed, till time and emulation, the companions of greatness, resolved of his period, and to colour him at his setting in a cloud (at Conebury) not by so violent a death, or by the fatal sentence of a judicature, as that of his father and grandfather's was, but, as is supposed, by that poison which he had prepared for others, wherein they report him a rare artist.

I am not bound to give credit to all vulgar relations, or the libels of his time, which are commonly forced and falsified suitable to the words and † honours of men in passion, and discontent; but what binds me to think him no good man, amongst other things of known truth, is that of my Lord of Essex's ‡ death, in Ireland, and the marriage of his lady; which I forbear to press, in regard he is long since dead, and others are living whom it may concern.

* The Duke of Somerset. † *al.* Humours. ‡ Of which you have an account hereafter in this small pamphlet.

To take him in the observation of his letters and writings, which should best set him off, for such as have fallen into my hands, I never yet saw a stile or phrase more seemingly religious, and fuller of the strains of devotion; and, were they not sincere, I doubt much of his well-being*, and, I fear, he was too well seen in the aphorisms, and principles of Nicholas the Florentine, and in the reaches † of Cæsar Borgias.

And hereto I have only touched him in his courtships. I conclude him in his lance ‡; He was sent governor by the queen to the revolted states of Holland, where we read not of his wonders, for they say, he had more of Mercury, than he had of Mars, and that his device might have been without prejudice to the great Cæsar, *Veni, vidi, redivi*.

RADCLIFFE, EARL OF SUSSEX.

HIS § co-rival was Thomas Radcliffe, Earl of Sussex, who in his constellation was his direct opposite, for indeed he was one of the Queen's martialists, and did her very good service in Ireland, at her first accession, till she recalled him to the court, whom she made Lord Chamberlain; but he played not his game with that cunning and dexterity, as the Earl of Leicester did, who was much the fairer courtier, though Sussex was thought much the honester man, and far the better soldier, but he lay too open on his guard; he was a goodly gentleman, and of a brave and noble nature, true and constant to his friends and servants; he was also of a very ancient and noble lineage, honoured through many descents, through the title of Fitzwalters. Moreover, there was such an antipathy in his nature to that of Leicester, that, being together in court, and both in high employments, they grew to a direct frowardness, and were in continual opposition, the one setting the watch, the other the guard, each on the other's actions and motions; for my Lord of Sussex was of so great spirit, which, backed with the Queen's special favour, and support, ¶ by a great and ancient inheritance, could not brook the other's empire, inasmuch as the Queen, upon sundry occasions, had somewhat to do to appease and atone them, until death parted the competition, and left the place to Leicester, who was not long alone, without his rival in grace, and command: And to conclude this favourite, it is confidently affirmed, that, lying in his last sickness, he gave this caveat to his friends:

'I am now passing into another world, and I must leave you to your fortunes, and the queen's grace and goodness; but beware of the gipsy, (meaning Leicester,) for he will be too hard for you all, you know not the beast so well as I do.'

* In a future state. † The Art of Poisoning. ‡ Martial state. § Leicester's.
 ¶ *al.* Supported by.

SECRETARY WILLIAM CECILL.

I COME now to the next, which was Secretary William Cecill, for, on the death of the old Marquis of Winchester, he came up in his room; a person of a most subtle and active spirit.

He stood not by the way of constellation, but was wholly attentive to the service of his mistress; and his dexterity, experience, and merit therein challenged a room in the queen's favour, which eclipsed the others over-seeming greatness, and made it appear that there were others steered and stood at the helm besides himself, and more stars in the firmament of grace, than Ursa Major.

He was born, as they say, in Lincolnshire, but, as some aver upon knowledge, of a younger brother of the Cecills of Hertfordshire, a family of my own knowledge, though now private, yet of no mean antiquity; who, being exposed, and sent to the city, as poor gentlemen used to do their sons, became to be a rich man on London-Bridge, and purchased * in Lincolnshire, where this man was born.

He was sent to Cambridge, and then to the Inns of Court, and so came to serve the Duke of Somerset, in the time of his protectorship † as secretary, and having a pregnancy to high inclinations, he came by degrees to a higher conversation, with the chiefest affairs of state and councils; but, on the fall of the Duke, he stood some years in umbrage, and without employment, till the state found they needed his abilities; and although we find not that he was taken into any place, during Mary's reign, unless (as some say) towards the last, yet the council several times made use of him, and in the Queen's ‡ entrance he was admitted secretary of state; afterwards he was made Master of the Court of Wards, then Lord Treasurer, for he was a person of most excellent abilities; and indeed the Queen began to need and seek out men of both guards, and so I conclude to rank this || great instrument amongst the Togati; for he had not to do with the sword, more than as the great pay-master, and contriver of the war, which shortly followed, wherein he accomplished much, through his theoretical knowledge at home, and his intelligence abroad, by unlocking of the councils of the queen's enemies.

We must now take it, and that of truth, into observation, that, until the tenth of her reign, the times were calm and serene, though sometimes overcast, as the most glorious sun-rising is subject to shadowings and droppings; for the clouds of Spain, and the vapours of the holy league, began to disperse and threaten her felicity. Moreover, she was then to provide for some intestine strangers, which began to gather in the heart of her kingdom; all which had relation and correspondence, each one to the other, to dethrone her, and to disturb the publick tranquillity, and therewithal, as a principal mark, the established religion, for the name of Recusant then began first to be known to the world;

* An estate. † Under Edward VI. ‡ Elisabeth's. || Councillors.

until then the catholicks were no more than church-papists*, but now commanded by the pope's express catholick church, their mother, they separate themselves; so it seems the pope had then his aims to take a true number of his children; but the queen had the greater advantage, for she likewise took tale of her opposite subjects, their strength and how many they were, that had given their names to Baal, who † then by the hands of some of his proselytes fixed his bulls on the gates of St. Paul's, which discharged her subjects of all fidelity, and received faith; and so under the vail of the next successor, to replant the catholick religion. So that the queen had then a new task and work in hand, that might well awake her best providence, and required a muster of new arms, as well as court-ships and counsels; for the time then began to grow quick and active, fitter for stronger motions than them of the carpet and measure; and it will be a true note of her magnanimity, that she loved a soldier, and had a propension in her nature to regard, and always to grace them; which the court, taking into their consideration, took it as an inviting to win honour, together with her Majesty's favour, by exposing themselves to the wars, especially when the queen and the affairs of the kingdom stood in some necessity of the soldiers; for we have many instances of the sallies of the nobility and gentry, yea and of the court and her privy-favourites, that had any touch or tincture of Mars in their inclinations, to steal away without license, and the queen's privity; which had like to cost some of them dear, so predominant were their thoughts and hopes of honour grown in them, as we may truly observe in the exposition of Sir Philip Sidney, my Lords of Essex and Mountjoy, and divers others, whose absence, and the manner of their eruptions, was very distasteful unto her; whereof I can hereunto add a true and no impertinent story, and that of the last: Mountjoy, who having twice or thrice stole away into Brittany, where under Sir John Norris he had then a company, without the queen's leave and privity; she sent a messenger unto him, with a strict charge to the general, to see him sent home.

When he came into the queen's presence, she fell into a kind railing, demanding of him how he durst go over without her leave: 'Serve me so (quoth she) once more, and I will lay you fast enough for running; you will never leave till you are knocked on the head, as that inconsiderate fellow Sidney was; you shall go when I send, in the mean time, see that you lodge in the court (which was then at Whitehall) where you may follow your book, read, and discourse of the wars.' But to our purpose: It fell out happily to those, and, as I may say, to these times, that the queen, during the calm time of her reign, was not idle, nor rocked asleep with security; for she had been very provident in the reparation and augmentation of her shipping and ammunition, and I know not whether by a foresight of policy, or any instinct, it

* Because notwithstanding many dissented from the reformed establishment in many points of doctrine, and still acknowledged the Pope's infallibility and supremacy; yet they looked not upon these doctrines and discipline to be fundamentals, or without which they could not be saved; and therefore continued to assemble, and baptize, and communicate, for the space of ten years, in the Reformed Church of England. Query, Whether their separation did not make them schismatics?

† The Pope.

came about, or whether it was an act of her compassion; but it is most certain she sent no small troops to the revolted states of Holland, before she had received any affront from the King of Spain, that might deserve to tend to a breach of hostility, which the papists maintain, to this day, was the provocation to the after wars: but, omitting what might be said to this point, these Netherland wars were the queen's seminaries, or nursery, of very many brave soldiers; and so likewise were the civil wars of France, whither she sent five several armies.

They were the French scholars that inured the youth and gentry of the kingdom, and it was a militia, where they were daily in acquaintance with the discipline of the Spaniards, who were then turned the queen's inveterate enemies.

And thus have I taken in observation her *dies Halcyonii*, i. e. these years of hers, which were more serene and quiet than those that followed, which though they were not less propitious, as being touched more with the points of honour and victory, yet were they troubled and loaded ever, both with domestick and foreign machinations; and as it is already quoted, they were such as awakened her spirits, and made her cast about her to defend, rather by offending, and by way of provision, to prevent all invasions, than to expect them; which was a piece of the cunning of the times, and with this I have noted the causes and *Principium** of the wars following, and likewise points to the seed-plots, from whence she took up these brave men, and plants of honour, who acted on the theatre of Mars, and on whom she dispersed the rays of her graces; who were persons, in their kinds of care, virtuous, and such as might, out of their merit, pretend interest to her favours; of which rank the number will equal, if not exceed that of her gown men, in recount of whom I will proceed with Sir Philip Sidney.

SIR PHILIP SIDNEY.

HE was the son of Sir Henry Sidney, lord deputy of Ireland, and president of Wales, a person of great parts, and of no mean grace with the queen; his mother was sister to my Lord of Leicester, from whence we may conjecture how the father stood up in the sphere of honour and employments, so that his descent was apparently noble on both sides; and, for his education, it was such as travel, and the university, could afford none better, and his tutors infuse; for, after an incredible proficiency in all the spheres of learning, he left the academical, for that of the court, whither he came by his uncle's invitation, famed after by noble reports of his accomplishments, which together with the state of his person, framed by a natural propension to arms, soon attracted the good opinions of all men, and was so highly praised in the esteem of the queen, that she thought the court deficient without him: and whereas, through the fame of his desert, he was in election for the kingdom of Pole†, she refused to further his preferment: it was not out of emu-

* Beginning. † Poland.

lation of advancement, but out of fear to lose the jewel of her time. He married the daughter and sole heir of Sir Francis Walsingham, the secretary of state; a lady destined to the bed of honour, who, after his deplorable death at Zutphen, in the Low Countries, where he was at the time of his uncle Leicester's being there, was remarried to the Lord of Essex, and, since his death, to my Lord of St. Albans, all persons of the sword, and otherwise of great honour and virtue.

They have a very quaint conceit of him, that Mars and Mercury fell at variance, whose servant he should be; and there is an epigrammist that saith, that Art and Nature had spent their excellencies in his fashioning, and, fearing they could not end what they had begun, they bestowed him up for time, and Nature stood mute, and amazed, to behold her own mark: But these are the particulars of poets.

Certain it is, he was a noble and matchless gentleman; and it may be said justly of him, without these hyperboles of faction as it was of Cato Uticensis, That he seemed to be born only to that which he went about, *vir satilis ingenii*, as Plutarch saith it; but to speak more of him were to make them less.

WALSINGHAM.

SIR FRANCIS WALSINGHAM, as we have said, had the honour to be Sir Philip Sidney's father-in-law; he was a gentleman at first, of a good house, and of a better education, and from the university travelled for the rest of his learning; doubtless, he was the only linguist of his times, how to use his own tongue, whereby he came to be employed in the chiefest affairs of state.

He was sent ambassador to France, and staid there Legar long in the heat of the civil wars, and at the same time that Monsieur was here a suitor to the Queen; and, if I be not mistaken, he played the very same part there, as since Gundamore did here*: At his return, he was taken principal secretary, and for one of the great engines of state, and of the times, high in his mistress the Queen's favour, and a watchful servant over the safety of his mistress.

They note him to have certain courtesies and secret ways of intelligence above the rest; but I must confess, I am to seek wherefore he suffered Parry † to play so long as he did, hang on the hook, before he hoised him up; and I have been a little curious in the search thereof, though I have not to do with the *Arcana Regalia Imperii*, for to know it is sometimes a burthen; and I remember it was Ovid's criminant error, that he saw too much, but I hope these are collaterals, and of no danger.

But that Parry, having an intent to kill the Queen, made the way of his access, by betraying of others, and in impeaching of the priests of his own correspondency, and thereby had access to confer with the

* Gundamore, the Spanish Ambassador, amused King James I, with much dissimulation.

† The traitor of whom elsewhere in this collection.

queen, as oftentimes private and familiar discourse with Walsingham, will not be the query of the mystery; for the secretary might have had an end of a further discovery and maturity of the treason; but that, after the queen knew Parry's intent, why she would then admit him to private discourse, and Walsingham to suffer him, considering the conditions of all the designs, and to permit him to go where and whither he listed, and only under the secrecy of a dark sentinel set over him, was a piece of reach and hazard, beyond my apprehension: I must again profess, that I have read many of his letters, for they are commonly sent to my Lord of Leicester, and of Burleigh, out of France, containing many fine passages, and secrets, yet, if I might have been beholding to his cyphers, they would have told pretty tales of the times; but I must now close him up, and rank him amongst the *Togati*: Yet chief of those that laid the foundations of the French and Dutch wars, which was another piece of his fineness of the times, with one observation more, that he was one of the greatest always of the Austrian embracements, for both himself, and Stafford that preceded him, might well have been compared to him, in the gospel, that sowed his tares in the night; so did they their seeds in division, in the dark, and as it is a likely report, that they father on him at his return, the queen speaking to him with some sensibility of the Spanish disigns on France: Madam, he answered, I beseech you be content, and fear not; the Spaniard hath a great appetite and an excellent digestion, but I have fitted him with a bone for these twenty years, that your Majesty should have no cause to doubt him, provided that, if the fire chance to shake, which I have kindled, you will be ruled by me, and cast in some of your fewel, which will revive the flame.

WILLOUGHBY.

MY Lord Willoughby was one of the queen's first swords-men; he was of the ancient extract of the Bartewes, but more enobled by his mother, who was Duchess of Suffolk; he was a great master of the art military, and was sent general into France, and commanded the second army of five, the queen had sent thither, in aid of the French: I have heard it spoken, that, had he not slighted the court, but applied himself to the queen, he might have enjoyed a plentiful portion of her grace; and it was his saying, and it did him no good, that he was none of the *Reptilia*, intimating that he could not creep on the ground, and that the court was not his element: for indeed, as he was a great soldier, so he was of a suitable magnanimity, and could not brook the obsequiousness and assiduity of the court, and as he was then somewhat descending from youth, happily he had an *animam revertendi*, or a desire to make a safe retreat.

B A C O N.

AND now I come to another of the *Togati*, Sir Nicholas Bacon, an arch-piece of wit, and of wisdom; he was a gentleman, and a man of law, and of a great knowledge therein, whereby together with his after-part of learning, and dexterity, he was promoted to be keeper of the great seal, and being of kin to the treasurer Burleigh, and * also the help of his hand to bring him to the queen's great favour, for he was abundantly factious. Which took much with the queen, when it suited with the season, as he was well able to judge of the times: he had a very quaint saying, and he used it often to good purpose, 'that he loved the jest well, but not the loss of his friend;' and that, though he knew that *verus quisque suæ fortunæ faber*, was a true and a good principle, yet the most in number were those that numbered themselves, but I will never forgive that man that loseth himself to be rid of his jests.

He was father to that refined wit, which since hath acted a disastrous part on the publick stage, and of late sat in his father's room, as lord chancellor; those that lived in his age, and from whence I have taken this little model of him, give him a lively character, and they decipher him to be another Solon, and the Sinon of those times, such a one as Oedipus was in dissolving of riddles: doubtless, he was an able instrument, as it was his commendation, that his head was the mallet, for it was a very great one, and therein kept a wedge, that entered all knotty pieces that came to the table.

And now again I must fall back to smooth and plain a way to the rest that is behind, but not from my purpose. There have been, about this time, two rivals in the queen's favour, old Sir Francis Knowles, comptroller of the house, and Sir Henry Norris, whom she had called up at parliament, to sit with the peers in the higher house: as, Henry Norris of Rycot, who had married the daughter and heir of the old Henry Williams, of Tayne, a noble person, and to whom, in her adversity, the queen had been committed to his safe custody, and, from him, had received more than ordinary observances: Now, such was the goodness of the queen's nature, that she neither forgot the good turns received from the Lord Williams, neither was she unmindful of this Lord Norris, whose father, in her father's time, and in the business of her brother, died in a noble cause, and in the justification of her innocency.

N O R R I S.

MY Lord Norris had, by his lady, an apt issue, which the queen highly respected, for he had six sons, and all martial and brave men: The first was William the eldest, and father to the late Earl of Berkshire; Sir John, vulgarly called General Norris; Sir Edward, Sir

Thomas, Sir Henry, and Maximilian, men of haughty courage, and of great experience in the conduct of military affairs; and, to speak in the character of their merit, they were persons of such renown and worth, as future times must, of duty, owe them the debt of an honourable memory.

KNOWLES.

SIR Francis Knowles was somewhat near in the queen's affinity, and had likewise no incompetent issue; for he had also William, his eldest son, and since Earl of Banbury; Sir Thomas, Sir Robert, and Sir Francis, if I be not a little mistaken in their names and marshaling: and there was also the Lady Lettice, a sister of those, who was first Countess of Essex, and after of Leicester; and those were also brave men in their times and places, but they were of the court and carpet, and not by the genius of the camp.

Between these two families there was, as it falleth out amongst great ones and competitors of favour, no great correspondency; and there were some seeds, either of emulation or distrust, cast between them; which had they not been disjoined in the residence of their persons, as that was the fortune of their employments, the one side attending the court, and the other the pavilion, surely they would have broken out into some kind of hostility, or, at least, they would intertwine and wrestle one in the other, like trees circled with ivy; for there was a time, when, both these fraternities being met at court, there passed a challenge between them at certain exercises, the queen and the old men being spectators, which ended in a flat quarrel amongst them all: For, I am persuaded, though I ought not to judge, that there were some relicks of this feigned, that were long after the causes of the one family's almost utter extirpation, and the other's improsperity: for it was a known truth, that, so long as my Lord of Leicester lived, who was the main pillar, on the one side, for having married the sister, the other side took no deep root in the court, though, otherwise, they made their ways to honour by their swords. And that, which is of more note, considering my Lord of Leicester's use of men of war, being shortly after sent governor to the revolted states, and no soldier himself, is, that he made no more account of Sir John Norris, a soldier, then deservedly famed, and trained from a page under the discipline of the greatest captain in Christendom, the Admiral Castilliau, and of command in the French and Dutch wars almost twenty years. And it is of further observation, that my Lord of Essex, after Leicester's decease, though addicted to arms, and honoured by the general in the Portugal expedition, whether out of instigation, as it hath been thought, or out of ambition and jealousy, eclipsed by the fame and splendor of this great commander, never loved him in sincerity.

Moreover, and certain it is, he not only crushed, and upon all occasions quelled the youth of this great man, and his famous brethren; but therewith drew on his own fatal end, by undertaking the Irish ac-

tion in a time when he left the court empty of friends, and full-fraught with his professed enemies. But I forbear to extend myself in any further relation upon this subject, as having lost some notes of truth in these two nobles, which I would present; and therewith touched somewhat, which I would not, if the equity of the narration would have permitted any omission.

PERROT.

SIR JOHN PERROT was a goodly gentleman, and of the sword; and he was of a very ancient descent, as an heir to many subtracts of gentry, especially from Guy de Brian of Lawhorn; so was he of a very vast estate, and came not to court for want, and to these advancements: He had the endowments of carriage and height of spirit, had he alighted on the alloy and temper of discretion; the defect whereof, with a native freedom and boldness of speech, drew him on to a clouded sitting, and laid him open to the spleen and advantage of his enemies, of whom Sir Christopher Hatton was professed; he was yet a wise man and a brave courtier, but rough, and participating more of active, than sedentary motions, as being in his instillation destined for arms. There is a query of some denotations, How he came to receive the foil, and that in the catastrophe? For he was strengthened with honourable alliances and the prime friendship in court, my Lords of Leicester and Burleigh, both his contemporaries and familiars; but that there might be (as the adage hath it) falsity in friendship: And we may rest satisfied, that there is no dispute against fate, and they quit him for a person that loved to stand too much alone on his legs, of too often regress and discontinuance from the queen's presence, a fault which is incompatible with the ways of court and favour. He was sent Lord Deputy into Ireland, as it was then apprehended, for a kind of haughtiness and repugnancy in council; or, as others have thought, the fittest person, then, to bridle the insolencies of the Irish; and probable it is, that both, considering the sway that he would have at the board, being head in the queen's favour, concurred, and did alike conspire his remove and ruin: But into Ireland he went; where he did the queen very great and many services, if the surplusage of the measure did not abate the value of the merit, as after-time found to be no paradox to save the queen's purse, but both herself, and my Lord Treasurer Burleigh, ever look for good service; he imposed on the Irish the charge for bearing their own arms, which both gave them the possession, and taught them the use of weapons; which provided, in the end, to a most fatal work, both in the profusion of blood and treasure.

But, at his return, and upon some account sent home before, touching the estate of that kingdom, the queen poured out assiduous testimonies of her grace towards him, till, by his retreat to his Castle of Cary, which he was then building, and out of a desire to be in command at home, as he had been abroad, together with the

hatred and practice of Hatton, then in high favour, whom he had, not long before, bitterly taunted for his dancing, he was accused for high treason, and for high words, and a forged letter, and condemned; though the queen, on the news of his condemnation, swore, by her wonted oath, That the jury were all knaves: And they delivered it with assurance, that, on his return to the town, after his tryal, he said, with oaths and with fury, to the lieutenant, Sir Owen Hopton, What, will the queen suffer her brother to be offered up as a sacrifice to the envy of my flattering adversaries? Which being made known to the queen, and somewhat inforced, she refused to sign it, and swore he should not die, for he was an honest and faithful man. And surely, though not altogether to set our rest and faith upon tradition and old reports, as, That Sir Thomas Perrot, his father, was a gentleman of the privy-chamber, and in the court married to a lady of great honour, which are presumptions in some implications; but, if we go a little further, and compare his pictures, his qualities, gesture, and voice with that of the king, which memory retains yet amongst us, they will plead strongly, that he was a surreptitious child of the blood royal.

Certain it is, that he lived not long in the tower; and that, after his decease, Sir Thomas Perrot, his son, then of no mean esteem with the queen, having before married my Lord of Essex's sister, since Countess of Northumberland, had restitution of his land; though, after his death also (which immediately followed) the Crown resumed the estate, and took advantage of the former attainder; and, to say the truth, the priest's forged letter was, at his arraignment, thought but as a fiction of envy, and was, soon after, exploded by the priest's own confession: But that, which most exasperated the queen, and gave advantage to his enemies, as Sir Walter Rawleigh takes into observation, words of disdain, for the queen, by sharp and reprehensive letters, had nettled him; and thereupon, sending others of approbation, commending his service, and intimating an invasion from Spain; which was no sooner proposed, but he said publickly, in the great chamber at Dublin: 'Lo, now she is ready to bepiss herself, for fear of the Spaniards; I am again one of her white boys.' Which are subject to a various construction, and tended to some disreputation of his sovereign, and such as may serve for instruction to persons in place of honour and command, to beware of the violences of nature, and especially the exorbitance of the tongue. And so I conclude him with this double observation; the one, of the innocency of his intentions; exempt and clear from the guilt of treason and disloyalty, therefore of the greatness of his heart; for, at his arraignment, he was so little dejected with what might be alledged, that rather he grew troubled with choler, and, in a kind of exasperation, he despised his jury, though of the order of knighthood, and of the especial gentry, claiming the privilege of tryal by the peers and baronage of the realm: So prevalent was that of his native genius and haughtiness of spirit, which accompanied him to his last, and till, without any diminution of change therein, it brake in pieces the cords of his magnanimity; for he died suddenly in the Tower, and when it was thought the queen did intend his enlargement, with the restitution of his posses-

sions, which were then very great, and comparable to most of the nobility.

HATTON.

SIR CHRISTOPHER HATTON came to the court, as his opposite; Sir John Perrot was wont to say, by the galliard, for he came thither as a private gentleman of the inns of court, in a masque; and, for his activity and person, which was tall and proportionable, taken into her favour: He was first made vice-chamberlain, and, shortly after, advanced to the place of lord chancellor; a gentleman that, besides the graces of his person, and dancing, had also the endowment of a strong and subtle capacity, and that could soon learn the discipline and garb, both of the times and court: and the truth is, he had a large proportion of gifts and endowments, but too much of the season of envy; and he was a meer vegetable of the court, that sprung up at night, and sunk again at his noon:

Flos non mentorum, sed sex fuit illa virorum.

EFFINGHAM.

MY Lord of Effingham, though a courtier betimes, yet I find not, that the sunshine of his favour brake out upon him, until she took him into the ship, and made him high admiral of England: for his extract, it might suffice, that he was the son of A. Howard, and of A. Duke of Norfolk.

And, for his person, as goodly a gentleman as the times had any, if nature had not been more intente to compleat his person, than fortune to make him rich; for, the times considered, which were then active, and a long time after lucrative, he died not wealthy; yet the honestest man, though, it seems the queen's purpose was to render the occasion of his advancement, and to make him capable of more honour; at his return from the Cadiz voyage and action, she conferred it upon him, creating him Earl of Nottingham, to the great discontent of his colleague, my Lord of Essex, who then grew excessive in the appetite of her favour, and the truth is so exorbitant in the limitation of the sovereign aspect, that it much alienated the queen's grace from him, and drew others together with the admiral to a combination, and conspire his ruin; and though, as I have heard it from that party (I mean the old admiral's faction) that it lay not in his proper power to hurt my Lord of Essex, yet he had more fellows, and such as were well skilled in the setting of the train: but I leave this to those of another age; it is out of doubt, that the admiral was a good, honest, and brave man, and a faithful servant to his mistress; and such a one, as the queen, out of her own princely judgment, knew to be a fit instrument in her

service, for she was a proficient in the reading of men, as well as books; and as sundry expeditions, as that aforementioned, and 88, do better express his worth, and manifest the queen's trust, and the opinion she had of his fidelity and conduct.

Moreover, the Howards were of the queen's alliance, and consanguinity, by her mother, which swayed her affections, and bent it towards this great house; and it was a part of her natural propension to grace and support ancient nobility, where it did not intrench, neither invade her interest; from such trespasses, she was quick, and tender, and would not spare any whatsoever, as we may observe in the case of the Duke, and my Lord of Hertford, whom she much favoured, and countenanced, till they attempted the forbidden fruit, the fault of the last being, in the severest interpretation, but a trespass of incroachment; but in the first it was taken as a riot against the crown, and her own sovereign power, and as I have ever thought the cause of her aversion, against the rest of that house, and the Duke's great father-in-law, Fitz-Allen, Earl of Arundel, a person in the first rank of her affections, before these, and some other jealousies, made a separation between them.

This noble lord, and Lord Thomas Howard, since Earl of Suffolk, standing alone in her grace, and the rest in her umbrage.

PACKINGTON.

SIR JOHN PACKINGTON was a gentleman of no mean family, and of form and feature no ways disabled, for he was a brave gentleman, and a very fine courtier, and for the time which he stayed there, which was not lasting, very high in her grace; but he came in, and went out, through dissassiduity, drew the curtain between himself, and the light of her grace, and then death overwhelmed the remnant, and utterly deprived him of recovery; and they say of him, that, had he brought less to her court, than he did, he might have carried away more than he brought, for he had a time on it, but was an ill husband of opportunity.

HUNSDOWN.

MY Lord of Hunsdown was of the queen's nearest kindred, and, on the decease of Sussex, both he and his son successively took the place of lord chamberlain; he was a man fast to his prince, and firm to his friends and servants; and though he might speak big, and therein would be borne out, yet was he the more dreadful, but less harmful, and far from the practice of the Lord of Leicester's instructions, for he was downright; and I have heard those that both knew him well, and had interest in him, say merrily of him, that his Latin and dissimulation were alike; and that his custom of swearing and obscenity, in speaking,

made him seem a worse Christian than he was, and a better knight of her carpet than he could be. As he lived in a roughling time, so he loved sword and buckler-men, and such as our fathers were wont to call Men of their hands'; of which sort he had many brave gentlemen that followed him, yet not taken for a popular and dangerous person: and this is one that stood among the *Togati*, of an honest, stout heart, and such a one, that, upon occasion, would have fought for his prince and country, for he had the charge of the queen's person, both in the court and in the camp at Tilbury.

RAWLEIGH.

SIR WALTER RAWLEIGH was one that, it seems, fortune had picked out of purpose, of whom to make an example, and to use as her tennis-ball, thereby to shew what she could do, for she tossed him up of nothing, and to and fro to greatness, and from thence down to little more than to that wherein she found him, a bare gentleman; and not that he was less, for he was well descended, and of good alliance, but poor in his beginnings: and for my Lord Oxford's jests of him for the jacks and upstarts, we all know it savoured more of emulation, and his honour, than of truth; and it is a certain note of the times, that the queen, in her choice, never took in her favour a mere viewed man, or a mechanick, as Comines observes of Lewis XI. who did serve himself with persons of unknown parents, such as were Oliver the barber, whom he created Earl of Dunoyes, and made him *ex secretis consiliis*, and alone in his favour and familiarity.

His approaches to the university and inns of court were the grounds of his improvement, but they were rather extrusions than sieges, or settings down, for he staid not long in a place; and, being the youngest brother, and the house diminished in his patrimony, he foresaw his destiny, that he was first to roll through want and disability, to subsist otherwise, before he came to a repose, and as the stone doth by long lying gather moss. He was the first that exposed himself in the land-service of Ireland, a militia, which did not then yield him food and raiment, for it was ever very poor; nor dared he to stay long there, though shortly after he came thither again, under the command of the Lord Grey, but with his own colours flying in the field, having, in the interim, cast a mere chance, both in the Low-countries, and in the voyage to sea; and, if ever man drew virtue out of necessity, it was he, and therewith was he the great example of industry; and though he might then have taken that of the merchant to himself,

Per mare, per terras, currit mercator ad Indos,

He might also have said, and truly, with the philosopher, *omnia mea mecum porto*, for it was a long time before he could brag of more than he carried at his back; and when he got on the winning side, it was his commendation, that he took pains for it, and underwent many various

adventures for his after-perfection, and before he came into the publick note of the world; and thence may appear how he came up *per ardua*;

Per varios casus, per tot discrimina rerum,

Not pulled up by chance, nor by any great admittance; I will only describe his natural parts, and these of his own acquiring.

He had, in the outward man, a good presence, in a handsome and well compacted person; a strong natural wit, and a better judgment, with a bold and plausible tongue, whereby he could set out his parts to the best advantage; and these he had by the adjuncts of some general learning, which by diligence he enforced to a great augmentation and perfection, for he was an indefatigable reader, by sea and land, and one of the best observers, both of men, and of the times; and I am somewhat confident, that, among the second causes of his growth, there was variance between him and my Lord General Grey, in his second descent into Ireland, which drew them both over to the council-table, there to plead their own causes; where what advantage he had in the case in controversy, I know not, but he had much the better in the manner of telling his tale, insomuch as the queen and the lords took no slight mark of the man, and his parts; for from thence he came to be known, and to have access to the lords; and then we are not to doubt how such a man would comply to progression; and whether or no, my Lord of Leicester had then cast a good word for him to the queen, which would have done him no harm, I do not determine; but true it is, he had gotten the queen's ear in a trice, and she began to be taken with his election, and loved to hear his reasons to her demands: and, the truth is, she took him for a kind of oracle, which nettled them all; yea those, that he relied on, began to take this his sudden favour for an alarm, and to be sensible of their own supplantation, and to project his, which made him shortly after sing,

Fortune, my foe, why dost thou frown?

So that, finding his favour declining, and falling into a recess, he undertook a new peregrination, to leave that *terra infirma*,* of the court, for that of the waves, and by declining himself, and by absence, to expel his, and the passion of his enemies; which, in court, was a strange device of recovery, but that he then knew there was some ill office done him; yet he durst not attempt to mend it, otherwise than by going aside thereby, to teach envy a new way of forgetfulness, and not so much as think of him. Howsoever, he had it always in mind, never to forget himself; and his device took so well, that in his return he came in as rams do, by going backward with the greater strength, and so continued, to the last, great in her favour, and captain of her guard: where I must leave him, but with this observation, though he gained much at the court, he took it not out of the exchequer, or merely out

* Instability.

of the queen's purse, but by his wit, and by the help of the prerogative; for the queen was never profuse in delivering out of her treasure, but paid most and many of her servants, part in money, and the rest with grace; which, as the case stood, was then taken for good payment, leaving the arrears of recompence due for their merit, to her great successor *, who paid them all with advantage †.

G R E V I L L E.

SIR FOULKE GREVILLE, since Lord Brooke, had no mean place in her favour, neither did he hold it for any short time, or term; for, if I be not deceived, he had the longest lease, the smoothest time, without rubs, of any of any of her favourites; he came to the court in his youth and prime, as that is the time, or never; he was a brave gentleman, and hopefully descended from Willoughby, Lord Brooke, and Admiral to Henry the Seventh; neither illiterate, for he was, as he would often profess, a friend to Sir Philip Sidney, and there are now extant some fragments of his pen, and of the times, which do interest him in the muses, and which shew in him the queen's election had ever a noble conduct, and it motions more of virtue and judgment, than of fancy.

I find, that he neither sought for, nor obtained any great place, or preferment in court, during all his time of attendance; neither did he need it, for he came thither backed with a plentiful fortune, which, as himself was wont to say, was then better held together by a single life, wherein he lived, and died a constant courtier of the ladies.

E S S E X.

MY Lord of Essex, as Sir Henry Walton notes him, a gentleman of great parts, and partly of his times, and retinue, had his introduction by my Lord of Leicester, who had married his mother; a tie of affinity, which, besides a more urgent obligation, might have invited his care to advance him, his fortunes being then, through his father's infelicity, grown low; but that the son of a Lord Ferrers of Chartly, Viscount Hertford, and Earl of Essex, who was of the ancient nobility, and formerly in the queen's good grace, could not have room in her favour, without the assistance of Leicester, was beyond the rule of her nature, which, as I have elsewhere taken into observation, was ever inclinable to favour the nobility. Sure it is, that he no sooner appeared in court, but he took with the queen and the courtiers; and, I believe, they all

* James the First. † He, dishonourably, cut off this good servant's head, and seized upon his estate.

could not chuse but look through the sacrifice of the father on his living son, whose image, by the remembrance of former passages, was a fresh leek, the bleeding of men murdered, represented to the court, and offered up as a subject of compassion to all the kingdom.

There was in this young lord, together with a goodly person, a kind of urbanity and innate courtesy, which both won the queen, and too much took up the people to gaze on the new adopted son of her favour; and as I go along, it will not be amiss to take into observation two notable quotations; the first was a violent indulgence of the queen (which is incident to old age, where it encounters with a pleasing and suitable object) towards this great lord, which argued a non-perpetuity; the second was a fault in the object of her grace, my lord himself, who drew in too fast like a child sucking on an over uberous nurse; and had there been a more decent decorum observed in both, or either of these, without doubt, the unity of their affections had been more permanent, and not so in and out, as they were, like an instrument well-tuned, and lapsing to discord.

The greater error of the two, though unwilling, I am constrained to impose on my Lord of Essex, and rather on his youth, and none of the least of the blame on those that stood sentinals about him, who might have advised better, but that like men, intoxicated with hopes, they likewise had sucked in with the most of their Lord's receipts, and so, like Cæsars, would have all or none; a rule quite contrary to nature, and the most indulgent parents, who, though they may express more affection to one in the abundance of bequeaths, yet cannot forget some legacies, and distributives, and dividends to others of their begetting; and how hurtful partiality is, and proves, every day's experience tells us, out of which common consideration, they might have framed to their hands a maxim of more discretion, for the conduct and management of their new graced lord and master.

But to omit that of infusion, and to do right to truth, my Lord of Essex, even of those that truly loved and honoured him, was noted for too bold an ingrosser, both of fame, and favour; and of this, without offence to the living, or treading on the sacred grave of the dead, I shall present the truth of a passage, yet in memory.

My Lord of Mountjoy, who was another child of her favour, being newly come, and then but Sir Charles Blount (for my Lord William, his elder brother, was then living) had the good fortune to run one day well at tilt, and the queen was therewith so well pleased, that she sent him, in token of her favour, a queen at chess in gold, richly enamelled, which his servants had, the next day, fastened unto his arm, with a crimson ribband; which my Lord of Essex, as he passed through the privy-chamber, espying with his cloke cast under his arm, the better to command it to the view, enquired what it was, and for what cause there fixed: Sir Foulke Greville told him, it was the queen's favour, which the day before, and next after the tilting, she had sent him; whereat my Lord of Essex, in a kind of emulation, and as though he would have limited her favour, said, Now I perceive, every fool must have a favour. This bitter and publick affront came to Sir Charles Blount's ear,

at which he sent him a challenge; which was accepted by my Lord, and they met near Marybone Park, where my lord was hurt in the thigh, and disarmed; the queen, missing of the men, was very curious to learn the truth, but at last it was whispered out; she swore by God's death, it was fit that some one or other should take him down, and teach him better manners, otherwise there would be no rule with him; and here I note the imminution of my Lord's friendship with Mountjoy, which the queen herself did then conjure.

Now for his fame we need not go far, for my Lord of Essex, having borne a grudge to General Norris, who had unwittingly offered to undertake the action of Brittany, with fewer men than my Lord had before demanded; on his return with victory, and a glorious report of his valour, he was then thought the only man for the Irish wars; wherein my Lord of Essex so wrought, by despising the number and quality of the rebels, that Norris was sent over with a scanty force, joined with the relicks of the veteran troops of Britain, of set purpose, and as it fell out, to ruin Norris; and the Lord Burrows, by my Lord's procurement, sent at his heels, and to command in chief, and to convey Norris only to his government at Munster; which aggravated the great heart of the general, to see himself undervalued, and undermined, by my Lord and Burrows, which was, as the proverb speaks, *juvenes docere senes*.

Now my Lord Burrows in the beginning of his prosecution died, whereupon the queen was fully bent to send over my Lord Mountjoy; which my Lord of Essex utterly disliked, and opposed with many reasons, and by arguments of contempt towards Mountjoy (his then professed friend, and familiar), so predominant was his desire to reap the whole honour of closing up that war, and all others; now the way being paved, and opened, by his own workmanship, and so handled, that none durst appear to stand in the place; at last, and with much ado, he obtained his own ends, and therewith his fatal destruction, leaving the queen and the court, where he stood impregnable, and firm in her grace, to men that long had sought and waited their times to give him a trip, and could never find any opportunity, but this of his absence, and of his own creation; and those are true observations of his appetite and inclinations, which were not of any true proportion, but hurried, and transported, with an over-desire, and thirstiness after fame, and that deceitful fame of popularity; and, to help on his catastrophe, I observe likewise two sorts of people, that had a hand in his fall: The first was the soldiery, which all flock unto him, as it were foretelling a mortality, and are commonly of blunt and too rough counsels, and many times dissonant from the time of the court and state; the other sort were of his family, his servants and his own creatures, such as were bound by safety, and obligations of fidelity, to have looked better to the steering of that boat, wherein they themselves were carried, and not to have suffered it to fleet, and run on ground, with those empty sails of tumor of popularity and applause; methinks one honest man or other, who had but the brushing of his cloaths, might have whispered in his ear, My Lord, look to it, this multitude, that follows you, will either devour you, or undo you; do not strive to over-rule all, for it

will cost hot water, and it will procure envy, and if needs your genius must have it so, let the court and the queen's presence be your station, for your absence must undo you. But, as I have said, they had sucked too much of their Lord's milk, and, instead of withdrawing, they drew* the coals of his ambition, and infused into him too much of the spirit of glory, yea, and mixed the goodness of his nature, with a touch of revenge, which is evermore accompanied with a destiny of the same fate. Of this number, there were some of insufferable natures about him, that towards his last gave desperate advice; such as his integrity abhorred, and his fidelity forbad: amongst whom Sir Henry Walton notes, without injury, his secretary Cuffe, as a vile man, and of a perverse nature. I could also name others, that, when he was in the right course of recovery, settling to moderation, would not suffer a recess in him, but stirred up the dregs of those rude humours, which, by times and his affections out of his own judgement, he thought to repose, and give them a vomit. And thus I conclude this noble lord, as a mixture between prosperity and adversity, once a child of his great mistress's favour, but a son of Bellona.

BUCKHURST.

MY Lord of Buckhurst was of the noble house of Sackvilles, and of the queen's consanguinity, or as the people then called him Fill-sacks, by reason of his great wealth, and the vast patrimony left to his son, whereof in his youth he spent the best part, until the queen, by her frequent admonitions, diverted the torrent of his profusion. He was a very fine gentleman, of person and endowments, both of art and nature, but without measure magnificent, till on the turn of his honour, and the alloy, that his yearly good counsel had wrought upon those immoderate courses of his youth, and that height of spirit inherent to his house; and then did the queen, as a most judicious, indulgent prince, who when she saw the man grown settled and staid, gave him an assistance, and advanced him to the treasurership, where he made amends to his house, for his mis-spent time, both in the increasement of his estate and honour, which the queen conferred upon him, together with the opportunity to remake himself, and thereby to shew that this was a child, that should have a share in her grace.

They much commend his elocution, but more the excellency of his pen, for he was a scholar, and a person of a quick dispatch, faculties that yet run in the blood; and they say of him, that his secretaries did little for him, by the way of indictment, wherein they could seldom please him, he was so facete and choice in his phrases, and stile; and for his dispatches, and for the content he gave to suitors, he had a decorum seldom put in practice, for he had of his attendance that took into a roll the names of all suitors, with the date of their first

addresses ; so that a fresh man could not leap over his head, that was of a more ancient edition, excepting the urgent affairs of the state.

I find not, that he was any way insnared in the factions of the court, which were all his times strong, and in every man's note, the Howards and the Cecills of the one part, and my Lord of Essex, &c. on the other ; for he held the staff of the treasury fast in his hand, which made them, once in a year, to be beholden to him ; and the truth is, as he was a wise man, and a stout, he had no reason to be a partaker, for he stood sure in blood and in grace, and was wholly intentive to the queen's service ; and such were his abilities, that she might have more cunning instruments, but none of a more strong judgment, and confidence in his ways, which are symptoms of magnanimity, whereunto methinks this motto hath some kind of reference, *Aut nunquam tentes, aut perfice.* As though he would have charactered, in a word, the genius of his house, or express somewhat of a higher inclination, than lay within his compass ; that he was a courtier is apparent, for he stood always in her eye, and in her favour.

MOUNTJOY.

MY Lord Mountjoy was of the ancient nobility, but utterly decayed in the support thereof, patrimony, through his grandfather's excess, his father's vanity in search of the philosopher's-stone, and his brother's untimely prodigality ; all which seemed, by a joint conspiracy, to ruin the house, and altogether to annihilate it. As he came from Oxford, he took the Inner Temple in the way to court, whither he no sooner came, but he had a pretty kind of admission, which I have heard from a discreet man of his own, and much more of the secrets of those times. He was then much about twenty years of age, brown-haired, of a sweet face, and of a most neat composure, tall in his person ; the queen was then at Whitehall, and at dinner, whither he came to see the fashion of the court, and the queen had soon found him out, and, with a kind of an affected favour, asked her carver who he was ; he answered he knew him not, insomuch that an enquiry was made, one from another, who he might be, till at length it was told the Queen, he was brother to the Lord William Mountjoy. Thus enquiry, with the eye of her majesty fixed upon him, as she was wont to do, and to daunt men, she knew not, stirred the blood of the young gentleman, insomuch as his colour went and came ; which the queen observing, called unto him, and gave him her hand to kiss, encouraging him with gracious words, and new looks, and so diverting her speech to the lords, and ladies, she said, that she no sooner observed him, but she knew there was in him some noble blood, with some other expressions of pity towards his house ; and then, again demanding his name, she said, Fail you not to come to the court, and I will bethink myself, how to do you good ; and this was his inlet, and the beginning of his grace ; where it falls into consideration, that, though he wanted not wit, nor courage,

for he had very fine attractives, as being a good piece of a scholar, yet were those accompanied with the retracts of bashfulness, and natural modesty, which, as the wave of the house of his fortune then stood, might have hindered his progression, had they not been reinforced by the infusion of sovereign favour, and the queen's gracious invitation; and that it may appear how he was, and how much that heretick, necessity, will work in the directions of good spirits, I can deliver it with assurance, that his exhibition was very scanty, until his brother died, which was shortly after his admission to the court; and then was it no more but a thousand marks per annum, wherewith he lived plentifully, and in a fine garb, and without any great sustentation of the queen, during all her times.

And, as there was in nature a kind of backwardness, which did not befriend him, nor suit with the motion of the court, so there was in him an inclination to arms, with an humour of travelling, and gadding abroad, which had not some wise men about him laboured to remove, and the queen laid in her command, he would, out of his own native propension, have marred his own market; for, as he was grown by reading, whereunto he was much addicted, to the theory of a soldier, so was he strongly invited, by his genius, to the acquaintance of the practice of the war, which were the causes of his excursions, for he had a company in the Low Countries, from whom he came over with a noble acceptance of the queen; but, somewhat restless in honourable thoughts, he exposed himself again, and again, and would press the queen with pretences of visiting his company so often, till at length he had a flat denial; yet he struck over with Sir John Norris into the action of Britanny, which was then a hot and active war, whom he would always call his father, honouring him above all men, and ever bewailing his end; so contrary he was in his esteem, and valuation of this great commander, to that of his friend, my Lord of Essex; till at last the queen began to take his digressions for contempt, and confined his residence to the court*, and her own presence; and, upon my Lord of Essex's fall, so confident she was of her own princely judgment, and the opinion she had conceived of his worth and conduct, that she would have this noble gentleman, and none other, to bring in the Irish wars to a propitious end; for it was a prophetic speech of her own, That it would be his fortune, and his honour, to cut the thread of that fatal rebellion, and to bring her in peace to the grave; wherein she was not deceived: For he atchieved it, but with much pains and carefulness, and not without the forces and many jealousies of the court and times, wherewith the queen's age and the malignity of her settling times were replete. And so I come to his dear friend in court, Secretary Cecill, whom, in his long absence, he adored as his saint, and counted him his only Mecenas, both before, and after his departure from court, and during all the time of his command in Ireland; well knowing, that it lay in his power, and by a word of his mouth, to make or mar him.

* As related before, in the account of Secretary William Cecill.

 ROBERT CECILL.

SIR ROBERT CECILL, since Earl of Salisbury, was the son of the Lord Burleigh, and, by degrees, successor of his places and favours, though not of his lands; for he had Sir Thomas Cecill his elder brother, since created Earl of Exeter; he was first secretary of state, then master of the court of wards, and, in the last of her reign, came to be Lord Treasurer: All which were the steps of his father's greatness, and of the honour he left to his house. For his person, he was not much beholden to nature, though somewhat for his face, which was the best part of his outside: For his inside, it may be said, and without offence, that he was his father's own son, and a pregnant precedent in all his discipline of state: He was a courtier from his cradle, which might have made him betimes; but he was at the age of twenty, and upwards, and was far short of his after-proof, but exposed, and by change of climate, he soon made shew, what he was, and would be.

He lived in those times, wherein the queen had most need and use of men of weight; and, amongst many able ones, this was chief, as having taken his sufficiency from his instruction, who begat him the tutorship of the times and court, which were then academies of art and cunning. For such was the queen's condition, from the tenth, or twelfth of her reign, that she had the happiness to stand up, whereof there is a former intimation, invironed with many and more enemies, and assaulted with more dangerous practices, than any prince of her times, and of many ages before: Where we must not, in this her preservation, attribute it to human power, for that, in his own omnipotent providence, God ordained those secondary means, as instruments of the work, by an evident manifestation of the same work, which she acted; and it was a well-pleasing work of his own, out of a peculiar care he had decreed the protection of the work-mistress, and, thereunto, added his abundant blessing upon all and whatsoever she undertook: Which is an observation of satisfaction, to myself, that she was in the right; though, to others, now breathing under the same form and frame of her government, it may not seem an animadversion of their worth: But I leave them to the peril of their own folly, and so come again to this great minister of state and the staff of the queen's declining age; who, though his little, crooked person could not promise any great supportation, yet it carried thereon a head, and a head-piece, of a vast content; and therein, it seems, nature was so diligent to compleat one and the best part about him, as the perfection of his memory and intellectuals: She took care also of his senses, and to put him in *lynceos oculos*, or, to pleasure him the more, borrowed of Argos, so to give unto him a prospective sight; and, for the rest of his sensitive vertues, his predecessor, Walsingham, had left him a receipt to smell out what was done in the conclave.

And his good old father was so well seen in mathematicks, that he could tell you, throughout Spain, every part, every port, every ship with its burden; whither bound, what preparations, what impedi-

ments for diversion of enterprises, counsel, and resolution; and, that we may see, as in a little map, how docible this little man was, I will present a taste of his abilities.

My Lord of Devonshire, upon certainty that the Spaniards would invade Ireland with a strong army, had written very earnestly to the queen, and to the council, for such supplies to be timely sent over, that might enable him both to march up to the Spaniard, if he did land, and follow on his prosecution without diverting his intentions against the rebels. Sir Robert Cecill, besides the general dispatch of the council (as he often did) writ thus in private, for these two then began to love dearly:

‘My Lord, out of the abundance of my affection, and the care I have of your well-doing, I must in private put you out of doubt, or fear, for I know you cannot be sensible, otherwise than in the way of honour, that the Spaniards will not come unto you this year; for I have it from my own, what his preparations are in all his parts, and what he can do; for, be confident, he beareth up a reputation, by seeming to embrace more than he can gripe; but, the next year, be assured, he will cast over to you some forlorn troops, which, how they may be reinforced beyond his present ability, and his first intention, I cannot, as yet, make any certain judgment; but I believe, out of my intelligence, that you may expect the landing in Munster, and, the more to distract you, in several places, as Kinsale, Beerhaven, and Baltimore; where, you may be sure, coming from sea, they will first fortify, and learn the strength of the rebels, before they dare take the field. Howsoever, as I know you will not lessen your care, neither your defences, whatsoever lies in my power to do you and the publick service, rest thereof assured.’

And to this I could add much more, but it may (as it is) suffice to present much of his abilities in the pen, that he was his craftsman in foreign intelligence, and for domestick affairs. As he was one of those that sat at the helm to the last of the queen, so was he none of the least in skill, and in the true use of the compass; and so I shall only vindicate the scandal of his death, and conclude him; for he departed at St. Margaret’s, near Marlborough, at his return from Bath, as my lord vice-chamberlain, my Lord Clifford, and myself, his son, and son-in-law, and many more can witness: but that, the day before, he swooned on the way, and was taken out of his litter, and laid into his coach, was a truth, out of which that falshood, concerning the manner of his death, had its derivation, though nothing to the purpose, or to the prejudice of his worth.



VERE.

SIR FRANCIS VERE was of that ancient, and of the most noble extract of the Earls of Oxford; and it may be a question whether the

nobility of his house, or the honour of his atchievements, might most commend him, but that we have an authentick rule:

*Nam genus et proavos et quæ nos non fecimus ipsi,
Vix ea nostra voco. —*

For, though he was an honourable slip of that ancient tree of nobility, which was no disadvantage to his virtue, yet he brought more glory to the name of Vere, than he took of blood from the family.

He was, amongst all the queen's swordsmen, inferior to none, but superior to many; of whom it may be said, to speak much of him were the way to leave out somewhat that might add to his praise, and to forget more than would make to his honour.

I find not that he came much to the court, for he lived almost perpetually in the camp; but, when he died, no man had more of the queen's favour, and none less envied, for he seldom troubled it with the noise and alarms of supplications; his way was another sort of undermining.

They report that the queen, as she loved martial men, would court this gentleman, as soon as he appeared in her presence: and surely he was a soldier of great worth and command, thirty years in the service of the states, and twenty years over the English in chief, as the queen's general: and he, that had seen the battle of Newport, might there best have taken him and his noble brother *, the Lord of Tilbury, to the life.

WORCESTER.

MY Lord of Worcester I have here put last, but not least in the queen's favour; he was of the ancient and noble blood of the Beauforts, and of her † grandfather's kin, by the mother, which the queen could never forget, especially where there was an incurrence of old blood, with fidelity, a mixture which ever sorted with the queen's nature; and tho' there might hap somewhat in this house, which might invert her grace, though not to speak of my lord himself, but in due reverence and honour, I mean contrariety or suspicion in religion; yet the queen ever respected his house, and principally his noble blood, whom she first made master of her horse, and then admitted him of her council of state.

In his youth, part whereof he spent before he came to reside at court, he was a very fine gentleman, and the best horseman and tilter of the times, which were then the manlike and noble recreations of the court, and such as took up the applause of men, as well as the praise and commendation of ladies; and when years had abated those exercises of honour, he grew then to be a faithful and profound counsellor; and as

* Horatio. † Elizabeth's.

I have placed him last, so was he the last liver of all her servants of her favour, and had the honour to see his renowned mistress, and all of them, laid in the places of their rests; and for himself, after a life of very noble and remarkable reputation, and in a peaceable old age, a fate that I make the last, and none of my slightest observations, which befel not many of the rest, for they expired like unto a light blown out with the snuff stinking, not commendably extinguished, and with an offence to the standers-by. And thus I have delivered up my poor essay or little draught of this great princess and her times with the servants of her state and favour: I cannot say I have finished it, for I know how defective and imperfect it is, as limbed only in the original nature, not without the active blessings, and so left it as a task fitter for remoter times, and the sallies of some bolder pencil to correct that which is amiss, and draw the rest up to life, than for me to have endeavoured it. I took it in consideration, how I might have dashed into it much of the stain of pollution, and thereby have defaced that little which is done; for I profess I have taken care to master my pen, that I might not err *animo* *, or of set purpose discolour each or any of the parts thereof, otherwise than in concealment. Haply there are some who will not approve of this modesty, but will censure it for pusillanimity, and with the cunning artist attempt to draw their line further out at length, and upon this of mine, which way (with somewhat more ease) it may be effected; for that the frame is ready made to their hands, and then haply I could draw one in the midst of theirs, but that modesty in me forbids the defacements in men departed, their posterity yet remaining, enjoying the merit of their virtues, and do still live in their honour. And I had rather incur the censure of abruption, than to be conscious and taken in the manner, sinning by eruption, or trampling on the graves of persons at rest, which living we durst not look in the face, nor make our addresses unto them, otherwise than with due regard to their honours, and reverence to their virtues.

* Willingly,

ST. HILARY'S TEARS.

Shed upon all Professions, from the Judge to the Pettifogger.

From the spruce Dames of the Exchange, to the dirty walking Fish-mongers.

FROM THE COVENT-GARDEN LADY OF INIQUITY,

TO

THE TURNBAL-STREET TRULL,

And indeed, from the Tower-Stairs, to Westminster-Ferry.

FOR WANT OF A STIRRING MIDSUMMER TERM,

This Year of Disasters, 1642.

Written by one of his Secretaries that had nothing else to do.

London, printed Anno. Dom. 1642. Quarto, containing six pages.

WHAT? Midsummer! how comes it then, the sun and moon, of gold and silver, which had wont to disperse their radiant lustre with greater brightness and consolation than those that shine in the Zodiack, have now withdrawn their splendor, and left us in this Cimmerian night of small takings? A term so like a vacation? You would take them to be the *Gemini*, which constellation never appears but out of darkness; there is no plague to fright away the termers, unless it be that plague of plagues, want of trading, which their money would easily cure.

At Westminster-hall, where in pristine ages you might without offence shoulder a lord to get through the press, now you may walk in the same posture a justice of peace doth in his own great hall at the examination of a delinquent, play with your band-strings, and twist your beard with the same gravity, and not an elbow-rub to disturb you; the benches are better half empty, and those few judges left have time enough to get a nap, and no noise to awake them; the bars, that had wont to swell with a five-fold row of listed gowns, where the favourites in the front imbursed more fees than would supply an army, and the rest (by lady) had good doings, a motion or a short cause to open, are

now so empty that boys may peep over them ; the surly tipstaff and messenger, whom your best oratory, and money to boot, would hardly persuade to admit you within the bench-room, stands looking over the door as it were through a pillory, to ask you, sir, shall I open ; and for the teaster you give him kisses his hand and scrapes you a leg, as fawningly, as a hungry spaniel takes a bone from his master, the lawyers, instead of perusing the breviate, and reducing the matter in question to cases, now buying up all the pamphlets, and dispersing themselves into corners to read them, thereby to keep their tongues in use, lest the faculties of brawling should be dried up with unwilling silence.

The prime court, the chancery (wherein the clerks had wont to dash their clients out of countenance with long dashes ; the examiners to take the depositions in hyperboles, and round about Robinhood circumstances, with saids and aforesaid, to enlarge the number of sheets ; the registers, to whom you used to come, in the same equipage as if you had a suit to the council-board, and had this ready answer, well you must wait till the latter end of the term) now as silent as a puritan conventicle when the lights are out ; no waiting, no hyperboles, no dashes, nor any employment, towards maintenance of taffata, sack, wenches, and other the usual prodigalities, and luxuries, whereunto the gentlemen that practise there are addicted. That court, that hath been known to decree pro, review, and decree con, hath the bar now empty of pro's, and con's, no wrangling, no noise, but the lamentation of my lord's escape.

The court of requests, to whom so many thousand of loyal, faithful, and obedient subjects have come humbly complaining, and shewing, can shew you at this present no subject, but its own humble complaint ; you that knew it, when the necessity of over great employment caused it to double the number of its clerks, and they to treble theirs, when it was solicited by petitions as numberless as hops, or ants, which all her Welch kindred had brought two-hundred and twelve and twenty miles, to get admitted in *Forma pauperis*, and thereby enabled to do more mischief than the best pursed clients in England, would wonder how it should tumble from such a throng, to such a vacation of employment ; that that court, that hath made two-hundred orders in one cause, should be in danger not to have one cause to order ; it is methinks a lamentable change.

The ministers of the court of wards do all wear mourning liveries in their faces, as if fate had granted out writs in the nature of a *Diem clausit extremum*, after the death of *Feoda multa*, to find their offices for *Vacua plurima* ; and of all courts else the *Chequers* must needs come within the limitation of this calamity, because they stand so much for the King, and in that predicament is the King's-Bench ; marry, if any thrive, it must needs be the Common-pleas, for, as the times go, nothing stands stiff, but what pertains to the commons, and yet they meet with revolts too, as well as the rest.

On both sides of the hall they complain : At heaven they say there is not a lawyer nor a clerk comes near them ; and at hell, where they were wont to flock like swallows to a reed-bush, they come dropping

in but now and then one, as opportunity of business makes them able. The coaches, which had wont to rumble up and down as they would challenge heaven to thunder for a wager, and did use to lie in the palace-yard, and before the inns of court gates, like so many basses, or fleets of fisher-boats in harbour, peering over the haven-keys, now seem like western barges on the Thames at a high tide, here and there one.

And you are no sooner out of the hall-yard, but, entering into King-street, you find the cooks leaning against door-posts, ruminating upon those Halcyon terms, when whole herds of clerks, sollicitors, and their clients, had wont to come with their sharp-set noses and stomachs from the hall, and devour the puddings and minced pyes by dozens, as swiftly as a kennel of hounds would worry up a dead horse, and now the courts are risen before they are hungry; the taverns, where an iron mill would hardly have drowned the noise of the yawling boys, the bar-bell, the fiddling and roaring above stairs, are now so silent you may rock a child asleep: The spruce mistress, that had wont to sit in the bar, domineering over the drawers, and not to be spoken withal, if you would kiss her arse to speak with her, now so familiar, bids you so heartily welcome, and will come and join her half pint with you, and let you salute her, and thank you, and think it very well, if all that courtesy will invite you to mount the reckoning to a pottle; the ale-houses and tobacco-shops are grown sweet for want of takings, you may walk by them without danger of being choaked.

All along the Strand (lodgings being empty) you shall find the house-keepers generally projecting where to borrow, and what to pawn towards payment of their quarter's rents, thereby to preserve their leases from forfeiture, and themselves from the tyranny of their stern landlords, who are very infidels in trusting, and will not forbear a minute; nay, the mischief on it is, there are no courtiers nor bad paymasters to curse and rail at for want of money, and that is the heaviest torment of all.

If you step aside into Covent-Garden, Long-Acre, and Drury-Lane, where those doves of Venus, those birds of youth and beauty (the wanton ladies) do build their nests, you shall find them in such a dump of amazement, to see the hopes of their trading frustrate, their beauties decayed for want of means to procure *Pomatum* and *Fucus*: Their eyes, which like glistening comets had wont to dazzle their idolaters, now shadowed with clouds of grief; their golden tresses, which had wont to flag about their shoulders, like so many ensigns in Cupid's regiment, and every hair thereof had a servant or visitant, which did superstitiously dote on it, now for want of curling and ordering, grown to the fashion of an Irish rug; and what a misery it is to see the velvets, sattins, and taffaties, nay the curious smocks sent to the brokers, and the whole wardrobe, that was purchased with so large a proportion of free favours and communities, now reduced to one poor tufted Holland suit? Is it not pity to see them, poor souls, who had wont to shine like so many constellations in the firmament of the suburbs, and be hurried in coaches to the taverns, and asparagus-gardens, where ten or twenty pounds suppers were but trifles with them, should now go to the chandlers and herb-wives in slip-shoes, for cheese and onions to dinner? Well, content yourselves (you attractive leadstones,

of delicious, and smooth damnation) and doubtless the arch-angel, my successor, will bring your angels to redeem all ; and your champions and cavaliers will return with pockets doubly furnished, for you are as sure of them, as they are of your diseases ; they are now but only purchasing, and laying up for you against their coming home ; this dearth of traffick is but a preparation to a large mart to follow, and this devouring winter of penury doth but presage a lively spring in the hot blood of the young gallantry, which when it comes, you shall again enjoy those blessings of wine, musk, good cloaths, money and dainty fare ; be enabled to pay your railing landladies, and defy the beadle with as much impudence, as ever you did.

Well, from you, I must follow the steps of many an old leacherous citizen, and walk into London, where, at the exchange, the only question that is asked is, what news? Not from Aleppo, Constantinople, the Streights, or Indies, but from York, Ireland, and the parliament ; the answer is, why the King is still obstinate, we shall have all our throats cut, those Epicurean throats of ours are doomed to be cut, for swallowing so many luxurious cates ; we had need to prick up our ears, and elevate our broad overgrown horns for the safety of ourselves, estates, and children ; marry ; as for our wives, they know well enough already the dangers of courtiers and cavaliers, and therefore dare meet the roughest gamester of them all in any posture whatsoever.

From hence I travel to Guildhall, where I find the lawyers complaining of infinite numbers of bankrupts, men so far decayed in estate, that they will compound to pay more than half, confess judgments, render their bodies to prison, prostitute their wives, or any thing rather than stand out the prosecution of a suit at law.

Then at the halls of every several company, where, in former ages, all the elements would scarce afford variety, to please the ingenious gluttony of one single feast, now you shall hear the meaner sort of tradesmen cursing those devouring foxes, the masters and wardens, for the infinite charge their insatiate stomachs do put them to ; from hence go to their particular shops, where there is nothing amongst the tradesmen, but condoling the want of the courtiers money, and their wives and daughters almost distracted for want of their company ; there are no upstart gallants to draw into their books, no young heirs to exchange shop-ware for lordships withal, nor any trading one with another, in which they are so familiarly acquainted with each others knaveries, that, alas ! their gaines are as good as nothing : And amongst them all that quintessence of unquestionable simplicity, the very spirit of villany, extracted out of all compounded villainies ; that master-piece or idea of dissimulation, which nature made her example to protraicture a rogue by, the Roundhead, who had went to eat and pray, for the propagation of the brethren and sisters of the seditious faction, now is invoking of curses upon the malignant party (the Abithophels, as he calls them, of the King's council) he sneaks into the corners of the city, and, after a licking of his lips, a spitting, and a casting up his ugly eyes towards the place he is not worthy to look at, he whispers a tale through his rotten nose, of a great danger that is fallen upon the kingdom ; and strange discoveries of imminent mischiefs, which had

happened, if by some providence towards the brethren of the selected sedition, and for their sakes only, it had not been prevented ; and then at length he tells you, that, if the prince were but at St. James's, there would be something done that St. Hilary dares not repeat after him : This thin jawed, ill-looking, hungry rascal ; this beetle browed, hollow-eyed, long-nosed, wide-mouthed cur : This carrion that stinks worse than the corrupted river of Egypt ; this cockatrice that hath hatched more serpentine distempers, than all the grave wisdom of a pregnant kingdom can pacify, hath been the sole cause of poor St. Hilary's tears ; who would think this idiot, this fathomless-bellied, thin-gutted snake should begin to hiss, and shew his sting, before the glorious splendor of those excellent worthies of our hopeful parliament could have leisure to disperse itself upon this starved kingdom ; that this owl, this buzzard, should be the instrument to bring clouds upon all their proceedings, and yet, without doubt, will be the first that will oppose, and curse them, when they shall please to declare that, in the title of Puritan, they never intended blue apron preachers, Brownist or Anabaptist : And yet this secure, confident, impudent, malignant, twenty times damned Heretick dares attribute all their favour to himself : well may St. Hilary's curse pursue him : Nay the unquenchable zeal of his next prayer prolong the nonsense and foolery thereof to so large a measure of time, that all the roast-meat be burnt off the spit, before he has done ; the white broth boiled dry, and the stewed and baked meat scorched to cinders, which in his opinion is one of the greatest earthly curses that can befall him. May his wife be caught in the spiritual act of her next carnal copulation, that all the world may discover what yet they carry so closely ; may the fervency of his hot zeal to the younger sisters burn his reins and kidnies to ashes ; and, instead of an hospital, let him be cast into the saw-pit he so often defiled under pretence of edification ; let him be buried amongst the dunghills, as not worthy to come near the church he so abused, where none may find his grave but dogs to piss against it ; may the ashes of his loathed carcase be collected from the pestiferous urn, by murderers and mountebanks, to mix with their killing potions ; and may no poison ever hereafter be operative, but what is compounded with that infernal dust, that, as he lived to the confusion of all goodness and virtue, so he may after death be known or mentioned by no other notion, than some fate boading character, that brings with it the dreadful summons of a woeful horror to ensue, till which end be fallen upon him we shall never see day of good trading again ; but, when it is accomplished, St. Hilary will make holiday ; and, instead of his tears, will send you hymns and madrigals for joy of the Roundheads confusion, and your more full employment.

EXAMPLES FOR KINGS;

OR,

RULES FOR PRINCES TO GOVERN BY.

WHEREIN IS CONTAINED THESE ENSUING PARTICULARS :

1. A discourse touching regal and politick government.
2. A prince must be just in his sentence.
3. What man is fit to be a governor, and to bear rule.
4. That a prince ought to be true to his word.
5. That a prince ought to be religious.
6. That a prince ought not to shed innocent blood.
7. That a prince ought to be circumspect in giving credit to evil reports.
8. That a prince ought to beware of parasites.
9. What kind of men ought to be of the king's council.
10. That it is dangerous for a prince to take aid of a stranger.
11. How a prince may get and keep the love of his subjects.
12. That a prince ought to be well advised how he begin a war.

London, printed for Henry Hutton, 1642. Quarto, containing one sheet.

AS in natural things, the head being cut off, the rest cannot be called a body; no more can in politick things a multitude, or commonalty, without a head, be incorporate: Therefore a people desiring to live in society, and willing to erect either a politick body or a kingdom, must, of necessity, chuse one to govern that body, who, in a kingdom, of *Regendo*, is called *Rex*; and so by the people is established a kingdom, which government is absolutely the best. And as the head of the physical body cannot change the reins and sinews thereof, nor deny the members their proper strength and necessary nutriture; no more can a king, who is head of the politick body, alter or change the laws of that body, or take from the people their goods or substance against their wills; for a king is chosen (and bound) to maintain the laws of his subjects, and to defend their bodies and goods. So Brute, arriving in this island with his Trojans, erected here a regal and politick government which hath for the most part continued ever since: For, though we have had many changes, as first the Romans, then the Saxons, then the Danes, and lastly the Normans, yet, in the time of all these nations, and during their reigns, the kingdom was for the most part governed in the same manner as it is now. Plutarch saith, that all at first that governed were called Tyrants, but afterwards the good governors called

Kings. For, though a man by force do subdue cities and countries, yet he ought to rule according to reason, and, if he knew God, according to the law of God: But when he is admitted king by the people, and hath his power from them, he may not subject the people to any other power; yet he hath a great and large prerogative, which he may use at his pleasure.

And here I think it not amiss to set down some few laws and customs of other common-wealths, whereby their good government may appear, they not being christians. Ptolemæus, King of Egypt, feasted one day seven ambassadors, which, at his request, shewed unto him three of their principal laws and customs. And first the ambassador of Rome said, We have the temples in great reverence, we are very obedient to our governors, and we do punish wicked men severely. The Carthaginian ambassador said, Our noblemen never left fighting, the artificers never left labouring, nor the philosophers never left teaching. The Sicilian said, In our common-wealth justice is exactly kept, merchandise is exercised with truth, and all men account themselves equal. The Rhodians said, That, at Rhodes, old men are honest, young men shamefaced, and women use very few words. The Athenians said, In our common-wealth rich men are not suffered to be divided into factions, nor poor men to be idle, nor the governors to be ignorant. The Lacedemonians said, In Sparta envy reigneth not, for all men are equal; nor covetousness, for all goods are common; nor sloth, for all men labour. In our common-wealth, said the ambassador of the Sicyonians, voyages are not permitted, because they should not bring home new factions; physicians are not suffered, lest they should kill the sound; nor lawyers to take upon them the defence of causes and suits. And to these may be added Anacharsis's letter to the Athenians, wherein he counsell-eth them to chuse a king that is just in his sentence, true to his word, constant in his act, secret and liberal, for these be the principal moral virtues most necessary in a prince.

A prince ought to be just in his sentence, according to the words of Solomon Wisd. 1. saying, 'Love justice, you that judge the earth;' for a just king doth advance his country; and the king, that judgeth the poor rightly, his throne shall be established for ever.

Now, to shew what manner of man is fittest to govern, I read in Livy, that men born in arms, great in deeds, and rude in eloquence, ought to be chosen counsellors; and that men of quick spirits, sharp wits, and learned in the law, and eloquence, should be for the city; for the prince ought to be a martial man, stout and courageous, to defend his subjects, and offend his enemies; not to be curious to speak eloquently, but to deliver his mind plainly and wisely, it being more necessary for a prince to do well, than speak well. Paucinus saith, those are to be hated, who in their acts are fools, and in their words philosophers; for wise words are not commendable, if the deeds be not answerable: They therefore, saith Plato, that will have glory in this life, and attain to glory after death, and be beloved of many, and feared of all, let them be virtuous in good works, and deceive no man with vain words. All good and worthy princes have laboured to attain to this wisdom, and to exact justice most exactly, insomuch that some have

not spared their own children, so sacred a thing they ever held justice to be: As for example, Brutus, understanding that his two sons were of the conspiracy of Tarquinius Superbus. Alexander Magnus was so far from being transported from justice, as, when any man made complaint to him of another, he stopped always one ear, saying, he must keep that for the party accused. King Edgar of England had likewise that care to do justice, as in winter time he would ride up and down the country, and make enquiry of the misdemeanors of his officers and governors, and punished them severely that offended the law. And as the followers of justice shall not only be glorious on earth, but live in eternal glory; so the princes that minister injustice, and do not judge rightly, shall reap infamy on earth, and undergo the high displeasure of God; for the royal prophet saith, that 'God is terrible to the kings of the earth,' Psal. lxxv. which doth very well appear, by the strange punishments which he oftentimes inflicts upon them, as upon Pharaoh, Nebuchadnezzar, Uzziah, Joram, Antiochus, Herod; Memprisius, King of Britain, who was devoured by wolves; Seldred, a Saxon, King of England, who was killed by the devil, as he was banqueting with his nobility. And many more for their injustice have been very strangely punished, and oftentimes lost their kingdoms, as appeareth from Eccles. chap. xi. being transferred from nation to nation for injustice and injuries; therefore it behoveth a prince to take special care hereunto.

Next, it is requisite that a prince be true to his word, both towards God and man; for Solomon saith, that a 'lying lip doth not become a prince,' Prov. xvii. Many examples might be given touching several princes, who have been severely punished for breach of faith: As, for example, Charles the 70th King of France, when he was Dauphin, made John, Duke of Burgundy believe that he would make peace with him, whereupon they met at a place appointed, where Charles caused the Duke to be presently killed; but Charles after this was forced to ask Philip forgiveness openly by his ambassadors. Charles the last Duke of Burgundy having given safe conduct to the Earl of St. Paul, constable of France, took him prisoner, and delivered him to the French King, who put him to death for his treachery, and set the said Earl free. Thus you may see how honourable it is to keep their word, and what they deserve that falsify their faith; for, a faithless prince is beloved of none, but hated of all; suspected of his friends, not trusted of his enemies, and forsaken of all men in his greatest necessity.

Also a prince ought to be religious, for Solomon saith, 'God preserveth the state of the righteous, and is a father to them that walk uprightly,' Prov. chap. ii. and in Deut. xvii. a king is commanded, after he be placed in his kingdom, to read the book of Deuteronomy, that he may learn to fear God, and keep his words, for so doing a prince shall prosper.

It is also expedient that a prince have special care that he put not his hand in innocent blood, neither by tyranny, malice, ambition, policy, or false reports or informations; for to be a tyrant is odious to God and man, and to bring himself to an evil end. As for example, King John of England murdered his nephew, and in the end was murdered

himself. Richard Duke of Gloucester murdered his two nephews, sons to Edward the Fourth, to make himself king, and after was slain in Bosworth by Henry the Seventh; for blood requires blood, and let a bloody prince never look for a better end.

But many princes have been mightily abused by false reports, and wrong informations; David therefore prayed God to deliver him 'from wicked lips, and a lying tongue,' Psal. cxix. and in Eccles. vi. it is said, 'Separate thyself from thy enemies, and beware even of thy friends;' for where a man doth trust the most there a man may be soonest deceived, as was Francis Duke of Britain, who put his brother Giles to death upon the false report of those who went messengers between them, and after put them to death also; therefore a prince should duly examine every report whether it be true, or not, before he give credit thereunto, and especially if it concern life, for innocent blood doth cry to God for revenge, as appeareth in the Apoc. vi. saying, 'How long, Lord, holy and just, judgest thou not, and revengest not our blood upon them that dwell upon the earth?'

I have read that Appelles drew the picture of a king (which he sent to Ptolemæus) set in a chair of state, with great hands, great ears, and besides him Ignorance, Suspicion, a Tale-teller, and Flattery: These will labour to be about a prince, therefore a prince must labour to avoid them. It is therefore a happy thing for princes to have those about them that will not flatter, but tell the truth. Therefore the Emperor Gordian said, that prince was very unfortunate, who hath not about him those that may plainly tell him the truth; for a king knoweth not what passeth, but by relation of those who converse with him. Theopompus being asked, How a prince might preserve his kingdom? said, By giving his friends liberty to speak the truth, and keeping his subjects from oppression.

A prince should be very careful in making choice of his counsellors; for Plato saith, that many princes are undone, for want of faithful friends and servants to counsel them; therefore Alfred, King of England, sought out the wisest and most learned men to be of his council. The Emperor Constantius, to make proof of his friends, made shew to abandon Christian Religion, and to turn to Idolatry; he was instantly applauded by a great number, whom presently he banished the country, for a prince shall never want followers. I wish that our gracious sovereign would make this his precedent: But, to my former discourse. Counsellors, saith Julius Cæsar, in one of his orations to the senate, should not be led by malice, friendship, anger, nor mercy; and, if they concur in one lawful opinion, though the prince be opposite, yet it is fitting he should yield to them, for so did the Emperor Marcus Antoninus, saying: It must be as you will, for it is greater reason that I, being one, should follow your opinion, than you, being many, wise, and learned, should yield to mine.

If a prince take aid of a stranger stronger than himself, he may thereby endanger his state; as, for example, the Heruls, Goths, and Lombards, who came into Italy for succour, became lords thereof; so did they of Franconia, with their King Pl. by Pharamond; the Galls, now France, and the Saxons did the like to England.

How to get and keep the love of his subjects.

A PRINCE, to the end he may be strong at home, and need no foreign forces, should always expect his own subjects, (especially men of worth and service) as well in peace as war, that he may win the love and hearts of his subjects, the meanest whereof may do him service, in some kind, at one time or other: For Seneca saith, The only inexpugnable force of a prince is the love of his subjects. Antoninus Pius would say, that he had rather preserve one of his subjects, than kill a thousand of his enemies. And Pythagoras affirmeth, that subjects are to the prince, as the wind to the fire; for the stronger the wind, the greater the fire; so the richer the subjects be, the stronger the prince; but, where Machiavel's principles take effect, there the subjects must be made poor, by continual subsidies, exactions, and impositions, that the people may always be kept under as slaves, and fear their prince; which course extinguisheth the love of the people towards the prince, and ingendereth hatred (the actions of the clergy, evil counsellors of the state, monopolies, and other Machiavilian practices of some great ones in authority, have almost procured the same effect in England). Philip Commynes greatly blameth such princes, as seek not to compound and end discords and quarrels amongst their greatest subjects, but rather nourish the one part; wherein they do but set their own house on fire, as did the wife of Henry the Sixth, taking part with the Duke of Somerset, against the Earl of Warwick, which caused the war betwixt York and Lancaster. Augustus the emperor made a law concerning exactions, which he called Augusta, that no payment should be exacted of the people, but for the profit of the common-wealth. And, when Marcus Antoninus laid a double tax upon the people, they answered, That, if he would have two taxes in one year, he must give them two summers, two harvests, and two vintages, for the people cannot endure to be overcharged; if they be, great inconveniency may grow thereby, (our later times give apparent testimonies of the truth of this particular). A prince therefore should love and cherish his subjects, but not oppress them; for Tiberius Nero, when some persuaded him to take great tributes of the provinces, said, That a good shepherd should shear his sheep, but not devour them; and That state (saith Thales) is best ordered, which hath in it neither too wealthy, nor too poor citizens.

It is not for a prince to make war upon every small occasion, but to be sure the cause be good and just; which then will bring honour to his person, safety to his soul, and encouragement to all his soldiers: Yet, according to the saying of Octavius Cæsar, neither battle, nor war, is to be undertaken, unless there be evidently seen more hope of gain, than fear of damage; but, above all, a religious peace is to be embraced by a prince, and so to be offered to his enemy; for 'blessed is the peace-maker, for he shall inherit the kingdom of God:'. Which, that we may all do, let us endeavour to purchase a peace by our timely repentance, and hearty prayers. When the Israelites had sinned, and God had resolved to destroy them, Moses rose up, and by his prayers

became a mediator betwixt God and them, so that God's justice was converted to mercy. Is there not in all this spacious kingdom one religious Moses to stand betwixt God's justice and our sins, by his prayers to purchase a pardon, and remove this threatening mischief which hangs over our heads? O that God would put it into the hearts both of prince and people, to join with one heart and one voice, and cry unto the Lord, for who knows what an effect such an union may produce? Who knows whether the Lord will repent him of his wrath, and turn this destruction from us?

THE
STATE AND DIGNITY
OF A
SECRETARY OF STATE'S PLACE,
WITH THE CARE AND PERIL THEREOF,
Written by the Right Honourable Robert, late Earl of Salisbury.
WITH
HIS EXCELLENT INSTRUCTIONS
TO THE
LATE EARL OF BEDFORD,
FOR THE GOVERNMENT OF BARWICK.
A WORK WORTHY OF MEMORY.

London, printed in 1642. Quarto, containing seventeen pages.

ALL officers and counsellors of princes have a prescribed authority by patent, by custom, or by oath, the secretary only excepted; but, to the secretary, out of a confidence and singular affection, there is a liberty to negotiate at discretion at home and abroad, with friends and enemies, in all matters of speech and intelligence.

All servants of princes deal upon strong and wary authority and warrant in disbursements as Treasurers, in conference with enemies as Generals, in commissions in executing offices by patent and instructions, and so in whatever else; only a secretary hath no warrant or com-

mission, no, not in matters of his own greatest particulars, but the virtue and word of his sovereign.

For such is the multiplicity of actions, and variable motions and intents of foreign princes, and their daily practices, and in so many parts and places, as secretaries can never have any commission, so long and universal as to secure them.

So as a secretary must either conceive the very thought of a king, which is only proper to God, or a king must exercise the painful office of a secretary, which is contrary to majesty, and liberty; or else a prince must make choice of such a servant of such a prince, as the prince's assurance must be his confidence in the secretary, and the secretary's life his trust in the prince.

To deal now with the prince, *tanquam infirmum futurum*, cannot be a rule for a secretary; for all that he hath to trust to is quite the contrary, which is, that his prince will be *semper idem*.

All strange princes hate secretaries, all aspirers, and all conspirers, because they either kill those monsters in their cradles, or else trace them out, where no man can discern the print of their footing.

Furthermore, this is manifest, that all men of war do malign them, except they will be at their desires.

Their fellow-counsellors envy them, because they have most easy and free access to princes; and, wheresoever a prince hath cause to delay or deny to search or punish, none so soon bear so much burthen.

Kings are advised to observe these things in a secretary:

First, That he be created by himself, and of his own raising.

Secondly, That he match not in a factious family.

And, lastly, That he hath reasonable capacity, and convenient ability.

On the other side, the place of secretary is dreadful, if he serve not a constant prince; for he that liveth by trust, ought to serve truly; so he that lives at mercy, ought to be careful in the choice of his master, that he be just *et de bona natura*.

If princes be not confident on those, whom they have made choice of, they shall ill trust the work of a strange hand; and, if the rule hath failed in some of those that have sinned in ingratitude to those princes, it is in those of the highest order, *Ero similis altissimo*.

But, for those of private quality, who have no other consistence, nor can ever look for equal blessedness, there the jealousy of a prince hath never beheld suspect, but mere contempt.

As long as any matter, of what weight soever, is handled only between the Prince and the Secretary, those counsels are compared to the mutual affections of two lovers, undiscovered to their friends.

When it cometh to be disputed in council, it is like the conference of parents, and solemnization of marriage; the first matter, the second order; and, indeed, the one the act, the other the publication.

If there be then a secretary, whose state can witness that he coveteth not for profit; and if his careful life and death shall record it, that love is his object; if he deal less with other men's suits, whereby secre-

taries gain, than ever any did ; if he prefer his majesty, and despise his own.

If such an one should find that his hope could not warrant him, no, not against the slanders of those wicked ones, whom he must use only, then, surely, that secretary must resolve, that the first day of his entry is the first day of his misery ; for, if he be not worthy of trust, he is less worthy of life ; and a suspicion of a secretary is both a tryal and condemnation, and a judgment.

Mr. Secretary's answer to the Earl of Bedford.

SIR,

I AM sorry, that I find in myself, that I am neither able to satisfy your lordship's request, nor my own desires ; and yet yourself, perchance, will better accept my doings, than I shall, myself, allow them. Your lordship would have me, by your letters, give you advice, for your affairs and service there. It cometh of your too much good opinion of me, that your lordship thinks me able thereunto, which, surely, I am not : And, though my desire be to do this, as you would ; yet cannot I satisfy myself, as I would ; and, if I should spend any words to declare my own inability, your lordship would not like them ; and, to enterprise to do that which I know not, I am not therein like myself : Yet, notwithstanding, I had rather please your lordship with my folly, than altogether myself with silence. If I write foolishly, or unseasonably, the lack is mine ; but the occasion of my fault is your lordship's. I heard so good report of your doing, the best is, I can give you, to go forward, and countenance your own example ; and the next advice thereunto is, that, when you see one day coming, to amend the day past ; my meaning is, to have you, in all your actions, do, as all other natural things do, and most plainly. Things growing, which daily, from time to time, do increase ; whose example, if a man would follow, he should, as his body groweth in age, so see his wit with knowledge, his conditions with virtues, should amend ; and, as we do live, we grow towards death, by moments of time ; so should we grow towards heaven, by multiplying of virtues, and good gifts. You see, I am at the first step in divinity ; and so might I seem, to many others of your estate, to be of small discretion, to fall in preaching to him, that must be occupied in musters, with looking to fortifications, and suchlike worldly affairs. Bnt, my Lord, I know to whom I write ; to him, who considereth between things worldly, and heavenly ; to him, that knoweth the fear of God is the beginning of wisdom ; and, therewith, I end.

Now, to your external care ; where, certainly, God is served, and pleased with them, that accomplish the same to their powers ; and, if wisdom lack, they may ask it of him, who hath the treasure of wisdom and goodness. Your lordship hath there a great charge of government ; I know, you think yourself unmeet thereunto, especially, in knowledge ; and, surely, to know that amendeth your ability ; for more hurt comes of men's securities, and presumption of wisdom, than in mistrust. It is

a good thing for you to bethink yourself of some nobleman, whom you have either read or heard, whose doings have been worthy of commendations, in such service as this.

And to make a pattern, and example to yourself, daily in your doings, practising the imitation of him throughout all your life; and, in this point, may you choose many noble properties, of your own natural, good father, to follow; whereunto, nature shall bend, and make you soonest inclinable. If you have heard of any nobleman famous in justice; not being led by affection on the one side, or on the other; not being strict, in severeness of law; it were good to follow him. If, also, you have heard the same to be merciful, to have had compassion on others in adversity, and willing to end all causes with quietness and charity; the example will be good. You may also propound to yourself the example, to follow such a one, as hath liberality in expences, without prodigality; remembering, that the property of virtue is, to continue in well-doing; and, therefore, to hold the mean is hard. As certainly, in these, or other like virtues, you shall see the fault on both sides so nigh standing to the virtues, that, unless you keep yourself in your doings very upright, it is easy to err on the one side or the other: As for example; in your expences, if you keep not a measure in your giving, you shall fail on the one side, and shall lack to give, when most gladly you would give: On the other side, if you forbear to give, where you may, and when you ought, then do you, as the scripture saith, 'heap up stones for your grave.' The like is in the virtue of justice; wherein, it shall suffice to remember of one Byas, that, when he had given judgment on one, wept himself; and, being asked of the cause, he said, in weeping I satisfied nature, in my sentence, the law; his pity was natural, and hindered not justice; his justice was lawful, and not unnatural. Thus I might spend your lordship's time, in reading a long and weary letter, if I would continue in that moral advertisement; I will, therefore, draw more to particulars of your charge; and, as I guess thereby, more aptly to satisfy your lordship's request. The foundation of your services there is your commission, and under seal of discharge; the force thereof is the end of your charge: Wherefore, you shall do well, by frequent reading and consideration thereof, to understand it well, and keep it in memory; for which purpose, it shall be expedient to have some conference with some learned man in the law, for the behalf of the law: and of some other discreet men, for the execution of the same. In like case this know, as you see time convenient, so may you perform the commandments.

But, methinks, you will say, I took upon me the easiest parts of advertisement, that is, to do discreetly; but I shew you not how, but remit you to others; and then will you think, that I do, as one that may bid a sick man be whole, be quit, shake off your sickness, but, how to do, he teacheth not.

Forsooth, my lord, my excuse is two ways: first, I know not your commission, and that you know is true; next, if I did know it, yet I have no such knowledge (especially in law) to inform you withal more particularly, than I do, but these, I think, content you not, for you will (according to your old mirth) call this a reason that cometh from

Colliweston; and, therefore, to keep you occupied with scribbling, I will follow on with a hotch-potch of sentences.

In your commission, I think, many things be committed to your discretion, which maketh the burthen greater, than if you had been expressly commanded what to do. Therefore, must you needs consider, what is meant by discretion; which, as we term it in our language, seemeth to be a knowledge to discern and judge one thing from another. And this part, truly, is properly pertaining to wisdom; for, before a man can discern, he must know it; and, he, that will perform this part, must measure and judge of these things; and therefore, before you shall conclude of any thing of weight, you must discern often thereupon; and, before you can do that, you must know the thing that is discerned; and then, for the election of these, it is very profitable, to imagine a pair of balances, and, in the one, to lay reasons on the one side, and, in the other, to lay the contrary, and then judge which is the heaviest; I mean, which balance hath the best reasons, not the most.

And, touching your own person, see things, pertaining thereto, be meet for the place which you keep; neither too negligent, neither too curious; to the one of these peradventure you are more subject, than to the other, and, therefore, you must regard yourself the more.

Your household must be governed as it may be an example of virtue to others, and an ornament to your office; let your officers have good ancient rules for order, and see they be not neglected; you must yourself so, with the same, as your servants may know you acquainted with their doings; and yet not seem to strangers, to meddle therewith. If you have cause to blame your officer, and have a mind to keep him, do it secretly, that he may know his fault, but not be known to the servant underneath him; in any wise cause not idleness to remain among your people; let not your servants exceed in apparel their degree, for the charge at length will be to your purse or estimation; let them understand, that you love them best wholive best in order: them next, who live nearest order; and them nothing at all, who live far from order; let them, which do well in your house, feel both your love and reward.

At your table, let no matter of princes affairs, or princes regiments, be disputed; nor of religion; for meat and drink requireth meaner talk; to keep men occupied of the common talk of the country, or other honest merry talks. Lastly, note, let Job serve in his degree, your lordship can well enough, with a few questions, set men occupied in talk.

For your fare (your lordship must give me leave to be bold) I can very well like, that, in respect of your degree, your service be both in order, and service honourable; and in substance plenteous, and in art curious; but, considering the proness of this age to excess, I can best allow the first without the last: And in any wise whatsoever you shall like do in other places, let not your orders, belonging to your estate (especially in common assemblies) at your table be neglected; and, if your table be also plenteous, it is also serviceable for the poor; but the last, to have many devices of counterfeit meats, and also spiced,

maketh waste in the household, gaineth little, giveth ill example to be followed, and is not wholesome to your guests, and, in the end, serveth small to hospitality.

Now for the usage of men there in those parts, as you find them at your coming, so as little as you may seek to alter their estate, (unless you see some cause) let it not appear, you use any man, with singular affection, above the rest, and yet you may use (indeed) as you see cause, men either for wisdom, or credit, with respect of others envies, not them whom you shall make choice of.

In your consultations give every man leave to speak, and bear with their lacks, so that you make choice of the best; do what you can, to make every one live according to his own estate; the gentlemen to live of their own without reproach, and, if you see any young gentlemen towards wasting, confer with his friends, for the stay thereof; especially, if his be of any continuance; likewise see, that poor men have their right, not for importunity of clamour, but for pity and truth.

Touching the lawyers of the country, esteem them of learning, see they lack not too much honesty, but in no wise seem to favour these demy-lawyers, except you see perfection of honesty, for in all countries they have least skill, and do most harm.

Do what you can, to make the gentlemen accord amongst themselves; and to extinguish old factions, either by some device of marrying, or by redemption of titles of lands, or such like incumbrances, which commonly be the seeds of discord. For termination of poor men's suits, remit them (as much as you may) to indifferent arbitrators to end; do not intermeddle therewith yourself, for so shall your labour be bottomless.

Whilst you be in that country (if you take any servants) let them be gentlemen's sons, and, if you may, their heirs, that, by their education with you, they may know you and yours.

Set up artillery, and neglect not the game of wrestling; let there be frequent games, as, shooting, running on horse and foot, and wrestling; in my country, have been used all ways for such purposes; and in this behalf I mean, not to have you induce new devices in that country, if they have others of their own. But some might ask me this, is this the true use of holy-days forsooth? Touching that part of the day, where the civil magistrate hath power, I think it not much amiss; but, for the time the ecclesiastical minister doth appoint to pray, and teach a sermon, I think it not meet to be put to this use. But therein I will not much dispute, for it belongeth to divinity, whereunto your commission extendeth not; for hereof the bishops and others have their charge.

Surely, my lord, it would be time now to leave my scribbling, lest I should be like the singers, who are dainty to begin, and know not when to leave; I think your lordship shall be weary of reading, wherefore I will leave with a few lines, like to my beginning.

Your doings here have deserved praise, see you continue your distance; so far of your acception here I meap, as I know. You were wont, and have professed unto me, that is, to serve uprightly and truly, and to do therein as you can, and then may you be bold of praise; and,

if you miss of that, yet, of no dishonour; for nothing, indeed, is honourable, but well-doing: The weal of your country (I mean, the quietness of such, as you have authority to govern) is your mark; shoot thereat, guiding your purpose with the fear of God, and so shall you gain the love of God and man. If you do sometime (as you see cause) advertise the queen's majesty of the good estate of that country, and of the gentlemen there (so it be by short letters) referring, if you have any long declaration of things, to your letters to the privy-council: If any thing to be misliked, or tedious to be advertised, procure others also to write thereof, and in no-wise write thereof alone: For, you know, fortunate things are welcome from any man, but, how the contrary may come from you, you may doubt.

It is full time for me to end my folly, and your lordship to end your labour; beseeching you, to make my will, in satisfying your request, answer the other lack fault: And, that I may be humbly remembered to my lady, to whom I acknowledge much duty, and am ashamed of my small deserving of her great goodness to me wards.

From my poor house at Wimbleton,

WILL. CECILL.

THE

WICKED PLOTS AND PERFIDIOUS

PRACTICES OF THE SPANIARDS

Against the Seventeen Provinces of the Netherlands, before they took up Arms:

Being gathered out of several Dutch writers, by a Lover of Truth,

AND AN

UNFEIGNED HATER OF OPPRESSION AND TYRANNY,

The Bane of Commonwealths.

Printed about the Year 1642. Quarto, containing eight pages.

Gentle Reader,

I SHALL speak so much touching the cruel, inhuman, treacherous, perfidious, yea, unnatural practices of the Spaniards, in these parts, and elsewhere, which may sufficiently delineate him in his de-

served colours, that whosoever beholds him may mourn to see this Hazaël so to tyrannise over the innocent, and that the Lord should permit, and the earth bear such an unheard-of monster. Yet, notwithstanding, much more might be added in sundry other particulars, as the Dutch chronicles mention, and other writers have well set out; amongst which, although I myself be a stranger by nation to them, yet, since the time of my abode here, having attained some understanding in the language, I have thought fit to speak so much, which, in my reading, I have observed.

First, thou art to understand, gentle reader, that the King of Spain was lovingly received here in the seventeen provinces, and a solemn oath was taken on both parts: The King, for his part, swore to maintain all their laws and privileges, and they to him all due homage and allegiance: He presently demanded of them a sum of money; whereupon the states did assemble, and collected for him forty millions of florins, of Brabant money, to be paid in nine years, and they paid it into the exchequer; and, although it was more than they had paid before to his predecessors, yet upon this he took great displeasure against them, and, as they write, he for this did hate them to death.

But he pretended this to be the cause of his wrath, because he saw, that there were some among them, that did defy the pope and his religion. But that could not be; for the city of Aelst was as superstitious in that religion, as Rome itself, for they did persecute the reformed religion even unto death; and, yet, for all that, both they, and an hundred and seventy fair villages that belonged unto them, were, by them, plundered and spoiled of all their goods; and many of them wounded and tormented for to confess where their money was; and many were killed. Thus much by the way.

My scope and chief intent is to shew the first and just cause of the wars in the Netherlands; whereby the diligent reader (not partially affected) may clearly understand, that the Netherlands did not rebelliously take up arms against a lawful prince (as some ignorantly think and speak) but justly and religiously defend themselves against a perfidious tyrant, who sought their ruin by all possible means he could, and the subversion of the whole state. A long while they patiently underwent his cruel oppressions and intolerable vexations, as the histories clearly manifest, till there was no hope, but either they must become slaves in soul and body, worse than that of Israel in Egypt, they and theirs for ever; or else be butchered by merciless executioners of a cruel tyrant. This tyrant, having a purpose to innovate all things, to root out ancient inhabitants, and to frustate all the laws, customs, and privileges, which himself had sworn to maintain, knew not how better to effect his evil ends, than by raising a bloody inquisition to set over them for their government: Which said inquisition (raised in Spain) concluded and pronounced certain articles, the tenth of February, 1568, which were confirmed by the King the twenty-sixth following. Now, because it may appear I do them no wrong in this charge, I will lay down the articles themselves *verbatim*.

The most sacred office of inquisition, so often attempted in the

Netherlands by his Majesty, and hindered until this time, shall be instituted and advanced in this manner, which is most expedient.

“ 1. They must persuade the Emperor, being gone astray and wickedly confederated with hereticks, that he resign his kingdoms unto his son, with the whole administration of the Netherlands.

“ 2. That the Emperor, with his two sisters, having given over all affairs, leaving the Netherlands, shall retire into Spain unto us, being assured that they shall never return more to do any harm.

“ 3. This being dispatched, we must also draw the King to us, and keep him for ever, that he depart not, and not suffer any Flemings to have access or conference with him.

“ 4. That the King write unto and command the clergy of the Netherlands, that, with the inquisition, they should accept of fifteen new bishops, the which should be free from all secular jurisdiction, yea in cases of treason.

“ 5. The subjects of the Netherlands, through their malice and waywardness, will revolt, and move seditions and tumults, pleasing to all but our company.

“ 6. The princes and noblemen, heads and authors of those factions, with the subjects, must be taken away, and the others reduced unto reason.

“ 7. They shall hire, at our charge, thieves and spoilers of churches and images, whose offences shall be by all the world imputed to rebels, by some subtle means; and so we shall vanquish them.

“ 8. That all commerce, negotiation, liberties, and privileges shall be rooted out, and that all be reduced to extreme poverty; whereby the realm shall be permanent for us.

“ 9. No man of all those countries (except he be of our faction) shall be held worthy to live; and, finally, all to be rooted out: And all goods, possessions, arts and trades, and all orders to be taken away, until there may be a new realm and a new people.

“ 10. In this action the wise and valiant Duke of Alva shall be employed in person; whereas any other, were he of the blood royal, or a prince, shall be of no esteem; so as, being suspected, yea in the smallest matters, they must be dispatched.

“ 11. No contracts, rights, promises, donations, oaths, privileges, and solemn assertions of the Netherlands shall be of any force for the inhabitants, as being guilty of high treason.

“ 12. But, above all, we must have an especial care, that, in these matters of so great weight and moment, we proceed not violently, but by means, by degrees, and that discreetly; to the end the princes, nobility, and inferior subjects may mutiny among themselves, so that one may persecute, yea, execute the other, until at last the hangman be executed himself. For, in all Christendom, is there not a nation more foolish and indiscreet, and whose levity and inconstancy may sooner be deceived, than these Netherlands; and God punisheth them accordingly.”

There were other articles found in president Vergas's chamber at

Antwerp, and there printed; and those are more cruel than these, but not more subtle.

By these articles, and the unlimited power of these lawless inquisitors, no man had any assurance of life or goods for a day, but were in danger continually to be called into question, either for the law of their God, or for some work of mercy, which either religion, moral equity, or the bond of nature called for: or else, if they had colour for none of these, they would impose such unreasonable taxations, that, if the cormorants had not their gorges crammed full, they would make prey of all; whether by right or wrong, it mattered not. But, my purpose being to avoid prolixity, and to pass by impertinences and needless repetitions, I will come to that I intended.

In the year 1565 a match was concluded for the Prince of Parma, and the nuptials were solemnised at Brussels, whither all the nobility and gentry of the country were invited; and accordingly there met of them about four-hundred; who, like faithful Moses, being grieved to see the daily oppression of their brethren by the hard task-masters of the inquisition, who not only robbed them of their goods, but also, by inhuman cruelty and unnatural butchery, deprived them of their lives, who daily led them as sheep unto the slaughter: the consideration hereof they jointly laid to heart, and hereupon (being met upon this occasion) they resolved to present a petition to the Princess of Parma; which they did, the fifth of April next following. The Earl of Breedrod, delivering the petition, humbly requested a favourable answer. Three days after, they received this answer, viz. "They should send two of their noblemen to the king, by whom she would write in their behalf." The Lord of Barlamont, being present, after their departure, said (like a flattering courtier) they were a company of rascals and beggars.

It was concluded, that the Marquis of Bargaen and the Lord of Mountigny should go into Spain, who humbly presented their suit to the king, but could get no answer in sixteen months after.

The twenty-sixth of August, anno 1566, the Princess of Parma sent for the gentry, telling them she had received letters from the King, containing a promise that all should be well, and that the inquisition should cease; and, for the proclamations, they should not be of force, but his Majesty would take such order, as they and the states should well like of. The princess also gave them toleration for their religion, on condition they should not deface, nor break down the ornaments of the churches; for there had been, before this time, vile and lewd persons, that frequented the meetings of the reformed; these went into the papists churches, stole their silver, and what was worth carrying away, and brake down their images: but the reformed suspected that this was done by the appointment of the princess. Neither was their suspicion without good ground; for it is to be seen in the king's letter, art. 7. that she had orders to hire this rascal company to do this villainy; which fact was imputed to the protestants, to the end that they might not only be odious there, but also seem guilty even in the judgment of other nations: howbeit, the offenders were punished with imprisonment, yea, with death, even by the reformed themselves, who jointly confessed the action unlawful, and were so far from giving occasion of offence in this

nature, that papist burghers themselves offered good security, that no such thing should be attempted by them. Who, then, can make any doubt that they were free from having any hand in those outrages laid to them? the very opposites in religion being judges; who, as appears, were willing to undertake for them. Now, as their faithfulness brought so good effect for their persons, so did the Lord work that the truth of religion found many friends likewise, the Lord wonderously prospering the course of reformation, insomuch that in a short space they had in Flanders sixty assemblies; some churches they themselves built, but were by Duke d'Alva soon cast down, who erected gallowses of them, and hanged them upon them *.

The Princess of Parma also begun to entertain soldiers, with pretence to apprehend the church-robbers, but intended indeed to take away the ancient liberties and privileges of the Netherlanders; wherefore, sending certain companies to Valencin, the inhabitants denied them entertainment, who, for that, were proclaimed rebels the fourteenth of December; soon after, they were besieged, sacked, and many of them put to death.

But, before they of Valencin denied entertainment to the soldiers, the nobility had received letters out of Spain, from the Marquis of Bergen, shewing, that the King † was exceedingly incensed against the Netherlanders; that he had, in the presence of many, vowed to be fully revenged of them, though it were with the hazard of all his countries; that he would make them an example to all the world, and would invite the pope and the Emperor to assist him in this quarrel. Upon the receipt of these letters, the nobility assembled at Dortmund, to consult what were best to be done; but concluded not any thing, some judging it safest to join and make head to resist his tyrannical fury, others seeking rather to escape by flight.

The cruelty of this inquisition did, notwithstanding, increase, and many soldiers came into the country, so that some of the country forsook their houses, and resorted towards Friesland; and some did stay at home, and went to meet the Duke of Alva, and welcomed him into the country, and shewed him all the kindness that they could; but he very shortly took off most of their ‡ heads; so that he did so terrify the inhabitants, that there fled out of the countries more than an hundred-thousand housholders: besides, many, that were taken in flying, were taken and hanged; and all these had their goods confiscated to the king.

Now the Duke of Alva did command all the inhabitants to pay the hundredth penny of all their goods, and of all that was bought and sold; the which some of the states did yield unto; and then he commanded them to pay the twentieth penny; and then he commanded the tenth penny of all things that were bought and sold, so often as they should be sold. Some of the states did make their humble petition to the duke, and to the princess, shewing them that it would drive all trading

* Emanuel de Mier saith, that in Flanders they took fifty of them at one time, and hanged twenty two, and whipped the rest.

† He pretended it for religion, but his aim was to get their lands and goods.

‡ As the Grau of Egmond, and the Grau of Horn, and many of the gentry at Brussels.

out of the land. The Duke of Alva told them, that he would have it, though it did ruinate all the land; but, if he saw them to do their best to pay it, he would deal favourably with them. But he said, that it was against the King's honour, if they should not pay it, seeing it was his pleasure to require it. And now did the inquisition imprison and execute many of the richer sort, as well papists as of the reformed church; and, if they were rich, there was no escaping for them. And whosoever was found to have any hand in way of suit and petition to have the tenth penny to be remitted, they were adjudged to have committed high treason against God and the King; and all these must forfeit life and goods to the King, and not any of their children to enjoy one penny-worth of the same, but (poor orphans) they must beg their bread. And some, that had been buried certain months, they caused to be digged up, and hanged on the gallows, and some to be burned, because they had not the sacrament and confessed before their death; but it was, because he would confiscate their goods to the King: Yea, when these insatiable gold-thirsty and blood-thirsty wretches wanted colour to cover their injustice and cruelty, they had their officious imps (false witnesses) suborned by Jezabel, to get Naboth's vineyard; witness Martin Hutton, who was one of the inquisitors clerks, and (being committed to prison) did acknowledge that he had made many false testimonies against sundry rich persons, some were of the reformed church. Here might fitly be brought in the hundred merchants of Granada, who were of the Roman religion, and were never other: What pretence had he to cause them to be murdered all in one night, and then presently to command all their goods to be brought to his treasury or exchequer, whose estate was worth more than twenty-eight hundred thousand pounds sterling? Now, as this tyrant was a devourer and destroyer of the lives of men, so he did presume to usurp further, not only upon civil ordinances, but upon the things of God; so that those, that were married in the reformed church, he forced to be married again; and, if they were rich, he took them from their husbands, and gave them to his soldiers to make prizes of them: Those, that were baptised in the reformed church, he compelled to be baptised again, contrary to God's word, and to the decree of the ancient councils: So intolerable were the burdens that this cruel Pharaoh laid, so excessive was his cruelty, that he filled all places with blood, blood touching blood, as the prophet speaks. For in small towns he executed fifty, and in great towns two-hundred and three-hundred, or four-hundred. And in places, as men travelled from one town to another, they might see many that his soldiers had hung up on trees to death, and some of them were worth eighty-thousand guildens, and some less: Yea, this tyrant did confiscate so much lands and goods, as, by his account sent into Spain, did amount to eight tons of money sterling, besides the many thousands that he and his soldiers had. All the money, that he did exact out of this land in six years, did amount to more than fifty millions of gold. And, if any were known to have any thing, that did belong to any that were put to death, and had not brought it to the knowledge of the inquisition, they did lose both life and goods; yea, the sixteenth of February, 1566, he gave sentence, in his court at

Madrill, that they were all traytors against God and himself. At Utrecht he beheaded a widow, that was eighty-four years old, because she had before lodged a preacher one night, whose living was worth four-thousand guildens yearly. And, at Maestricht, a father, for lodging his son that he had not seen in a long time, who was fled for religion, was put to death. And at that place there was another put to death, for giving a widow a peck of corn for an alms, whose husband this bloody court had put to death. And many women were put to death, because they received their husbands in the night, that were fled for religion; yea, they have killed women great with child, and ripped up their bellies, and taken out the child and killed it; and some they have flayed alive, and covered drums heads with their skins; and some they have tied to a post, and made a small fire round about them, and so roasted them to death.

At Naerden they received the Spaniards friendly into the town, who promised them both their lives and goods; and, as soon as they came in, they commanded them to come to the state house without their arms; the which they did, and the Spaniards gave fire upon them, and murdered them all*; and then they ran about in the town, and ravished the women, and after killed them and fired the town. The young children that lay in the cradle, they quartered them, and took them upon their pikes, and so went up and down rejoicing in their cruelty.

Such savage cruelty is scarcely to be found in any history: What Christian heart can hear it, and not be affected with deep sorrow? Yet, behold, some monsters herein have been found, that have been so far from humanity herein (for he, that hath humanity in him, will commiserate others calamities) that they have applauded it, as if he had, in all these outrages, done God good service. Amongst the rest, I shall content myself, at this present, but to name the holy father the pope; and one of his chief sons in this business. The pope sends his legate to commend these so rare exploits, and calls this cruel Duke d'Alva his beloved son; sends him a costly sword, the hilts whereof were of gold, and a hat wrought with gold and beset with rich and costly stones, thanking him for his good service in maintaining the Roman religion, and subverting of hereticks. Howbeit, that his chief son I mentioned (exceeding this man of sin in the sin of cruelty, as if he would verify himself to be ten-fold more the child of Satan, than his father the pope) thinks not so well of it; his name is Vergas, the president of this bloody inquisition; for, going shortly after into Spain, he told the King, that he and Duke d'Alva did mar all in the Netherlands, by shewing so much mercy to those people.

Concerning this Duke d'Alva, of whose outrage and cruelty so many have felt, and perfidious dealing, which many have found by lamentable experience, whereby may easily appear of what stamp his excessive mercies are, even such as the wise man speaks of, Prov. xii. 10. 'The tender mercies of the wicked are cruel.' In which he prides himself, boasting he had slaughtered eighteen-thousand and six-hundred, in

form of justice, in six years time; and ten times so many he and his soldiers murdered otherways *. And many more would he, doubtless, have murdered, had not the Lord restrained and limited him, for his desire herein was as hell, that cannot be satisfied: Witness the purpose of his proceeding against the magistrates of Brussels, because they did not collect the tenth penny, so as he desired. He swore that he would have it, and, before he would let it fall, or remit it, the sun and moon should leave their shining: So he went to Brussels, and commanded the executioner to prepare ladders and ropes, to hang up that night, in their doors, seventy of the citizens, and gave them his warrant in writing, what they should be: But God in providence prevented this his cruel purpose, in that there came news, that the grave of Mark had taken in the Brill †: So the tyrant did not go forward with his bloody enterprises.

Thus, having given you a taste of some of those many things I have observed, concerning the intolerable oppression, and worse than savage cruelty of the Spaniards, exercised upon the people, which they endured and laboured under, the space of sixteen years ‡, I will now leave these cruel tyrants to the Lord for judgment, and address myself to speak somewhat further concerning this Earl of Mark, who had those gentlemen with him, that fled. Before this, he had lain with his shipping in England; but, the King of Spain sending his ambassador to our queen (who was then in peace with him) to desire her, that she would not suffer his subjects to have their harbour in her land, and that she would not give them, or suffer them to have any relief, whereby they should make head against him: And hereupon the queen sent and commanded them out of her harbour, and she commanded, that they should not be suffered to have any provision in her coasts; so that now they had no other means, but only God, who did, in his mercy, provide for them better than they expected. For they were purposed to have gone for the Tassel, and to have taken some town about that part; but, when they came near that part, they had the wind contrary, that they could not come there; so they went for the Maese, and came with their ships before the Brill, and there they went presently and took it: Yet the Duke of Alva had his forces in the town, near so many as they were, whom they killed, and chased out of the town, and out of the Island. The Prince of Orange being in France, and hearing what had happened, he sent them soldiers, with as much speed as could be, out of France. And, within one month after, Duke d'Alva sent certain companies to Ulishing, to keep that place strong for himself; and many of the commanders were come into the town. So the magistrates commanded the citizens to come presently upon the state-house; so they told them they must lodge Spaniards in their houses; and they, knowing how they had used the citizens in all places where they came, told the magistrates they would not have the Spaniards in their town. The magistrates asked them, Which of them it was, that did refuse to receive

* These words he spake at a banquet, as he sat at the table, rejoicing he had done the King so good service. † Anno 1573, April 1.

‡ I have instanced but four or five towns; but there were scarce any towns escaped their cruel pillaging, except they had bribed their commanders with exceeding large gifts.

them. They said, All of them. So, the magistrates seeing them so earnest against the Spaniards, they jointly took their arms, and killed and took prisoners all them that were in the town, and with their ordinance they shot at his ships, where the Spaniards were, and they made away. And, of those that were taken, there were the names of about eighty, that they had in writing from Duke d'Alva, that dwelt in the Island; that they should put to death †. So those of the Brill sent their soldiers with speed to help them. And shortly the Prince of Orange came with forces, and defended them; and some other towns, seeing the cruelty of the Spaniards, forsook the Spaniard, and joined with them, and took the Prince of Orange to be their Protector; yet the states, notwithstanding, did remain in obedience to the king some seven years after.

Again, it is further worthy to be noted, that these provinces did three times send to the king their noblemen, but could obtain no mercy; and many more times they went to the Princess of Parma, and made their humble petition for redress of their oppression, but could not obtain any favour; then they made friends to the renowned Queen of England, and to the Princes of Germany, and to the Emperor, who did earnestly intreat, by their ambassadors, for them. The King of Spain answered their ambassadors with these words; he bade them tell their masters, 'That they should meddle with their own subjects, and not with his, for he knew well enough how to rule his subjects, without their counsel.' Now, ‡ when our Queen's majesty found his unreasonableness and cruelty, then, and not before, she assisted them with arms.

His own son, Prince Charles, did intreat for them, that he would please to let them have their laws and privileges, and that they might not be so oppressed; and, withal, he told his father, that those countries did belong to him, and that they were given him at his baptism; for the which, his father sent him to prison, and he never came out again ||. If the Lord would not have forgot what Amalek did, long after, for smiting the weakest and hindmost of his people, how may we, in equity, forget the infinite murders and spoils, this cruel tyrant hath executed, where ever he hath prevailed? And who can forget, in special, that bloody attempt against ourselves, in the year 1588.

If I should trace this tyrant from place to place, I should run in *infinitum*, having made the name of Christianity hateful, by his cruelty, amongst the Heathens, that know not God further than the light of nature; for it is confessed by the Spaniards themselves, that some of the chief of the Indians, who were to be burnt to death, being told of heaven and hell, they asked, Whither the Spaniards went when they died? It was answered, To heaven: 'Oh, then,' said they, 'we will never come, where the Spaniards are.' But, not to run so far, I will rest content to keep within the bounds I chiefly intended concerning these countries. When the citizens of Leyden were in great extremity, by reason of a long siege, the Spaniards proffering conditions of peace, if so be they would yield up the city and themselves to them, they re-

† He had appointed those to be executed, because they were the chief that stood against the payment of the tenth penny. ‡ Anno 1575. || Marplam, in his Chronicle, Anno 1567.

turned answer, 'Nor while they had a right-hand to hold a sword, or a left to eat;' but, if they should be driven to fall into their hands, they would rather burn the city, and drown themselves, than to submit to them, of whose perfidiousness they had had so lamentable experience: And, when some of the citizens pressed a yielding, in respect of the extremity of famine, a burgo-master, called Peter Adrianson, said, 'Loving friends, I confess the famine is great, and that some die for want of food; yet rather let us agree to eat up one another, as it shall fall by lot; begin with me first, and divide me amongst you.'

At Antwerp, the Spaniards, by the appointment of their governor, did come into the city in battle order, and marched up and down their streets, and shot into their houses, and made a tumultuous noise, as if they had been so many devils, for one day and two nights, and took the keys from the magistrates, and set watch at the ports; whereby they put the citizens in so great fear, that many women with child fell in travel, and some died with fear: And they went, by twelve or twenty, into the best houses, and commanded them to prepare them the best cheer, as boiled and rost, and other dainty dishes, as they list to call for; and, besides beer, they would have at least two sorts of wine. And all the chieftest citizens houses had at least ten of these guests. And they all cried out for money, and said, that they would have fifteen months pay, before they went out of the city, of them; and the magistrates told them, that they would procure them, in cloth, and apparel, and money, the sum; but they all cried out for money, and that money they would have, before they went away; so at the last the magistrates got the money, which did amount to four-hundred thousand guldens. And the charge they were at, which these companions did cost the citizens, was six-hundred pounds sterling the day: and thus they were oppressed with them twenty-eight days; in which time they had made them all rich sutes, some of sattin and velvet, and some of cloth of gold; and one of them had a cushion of velvet, with these words in letters of gold, 'I am the Dutchman's Bridewell-master.' And thus they got rid of them, for the present. And about two years after they came again, and then they used the citizens much more cruelly; for these devils did bring straw, and set it on fire, and put it into the houses; whereby they set nine rich streets on fire, and burnt them, with many rich and costly goods, and rifled the citizens of all their rich and costly jewels, and silver-works, with their money; and three days did they torment the inhabitants for money; and in this time there were murdered of the citizens above four thousand. The money they took at that time is reckoned for more than forty tons of gold, beside the jewels; and the loss they had by fire was as much as the rest. And thus was the best city of merchants in Europe ruined.

Divers things being manifested of the Spaniards cruelty, I will add one instance of their treachery, and that of a famous person to his nearest familiars, yea, when he pretended sweetest familiarity and friendship: Pope Alexander the Sixth, a Spaniard by birth, invited divers nobles and cardinals to a banquet, with a purpose to poison them all. The meetest instrument he made choice of, to effect this,

was a Spaniard, one Cæsar Borgia, his sworn servant. The pope shewed himself wonderful pleasant, to avoid suspicion, and drank a carouse to them all, willing his trusty servant to fill from such a bottle he knew well; which he did very effectually to the pope himself, as well as to the rest. After the company was departed, the pope, perceiving an alteration in himself, what was done, and that he must die now also, said to Borgia, This is a right Spanish trick. It is written of them, that they are so expert in these exploits, that, if Judas himself were alive, he might go to them to school.

THE STRANGLING
AND
DEATH OF THE GREAT TURK,
AND HIS TWO SONS;

With the strange Preservation and Deliverance of his Uncle Mustapha from perishing in prison, with hunger and thirst, the young Emperor, not three days before, having so commanded.

A WONDERFUL STORY,

And the like never heard of in our modern times; and yet all to manifest the glory and providence of God,

IN THE PRESERVATION OF CHRISTENDOM

IN THESE TROUBLESOME TIMES.

Printed this Fifteenth of July.

Printed at London, by J. D. for Nicholas Bourne and Thomas Archer, and are to be sold at their shops at the Exchange, and in Pope's-head palace. 1642. Octavo, containing seventeen pages.

Haud sic magni conditor orbis,
Huic ex alto cuncta tuenti,
Nulla terræ mole respectant,
Non nox atris nubibus obstat,
Quæ sint, Quæ fuerint, Veniantque,
Uno mentis cernit in ictu,
Quem, quia respicit omnia solus,
Verum possis dicere solem.

Boetius Metro. 3 Lib. 5.

The Printer to the Reader.

I am very loth to trouble you with a preface, yet, at this time, you must pardon me; for it is for God's cause, to exemplify his glory and providence, that hath put an hook in the nostrils of Leviathan, and kept him from devouring poor Christians, who yet are in arms to devour one another; that hath thrown a stone from heaven, to strike the golden image to powder, which was stretching itself to overlook and overtop the provinces of Europe; that hath put an ax to the great tree, and felled it at a blow, which was beginning to overspread the earth, and be a shadow for the beasts of the field. What, all Christendom almost in arms, and yet the Turk not to take the advantage, but to be pulled short by the hand of God, and thrown backward into a grave? Where are your dreaming gazettes and coranto's now, that talked of such formidable preparation, and so many hundred-thousand in an army? Where is the threatening of Poland, and terrifying the Cossacks with so many thousand Tartarians? Where is their coming into Hungary, to begin a new war there? What, all hushed, and quiet? Why, then, thine be the honour, O God, and all power, and Majesty, and goodness be attributed unto thee; for thou hast taken pity upon our afflictions, and wilt set upright thine own cause, when the children of Edom and inhabitants of Babylon, cry, 'Down with the walls of Jerusalem', and insult with clapping their hands, to see the enemies of the gospel thrive in their outrageousness.

This, then, is all I would say unto you, by the way of introduction, to give God, the praise, that the great Turk is dead so opportunely, whereby there is hope, that Europe shall be preserved from their invasion, and those affrightings. And the same God, that hath compassionated the general distress of Christendom, take pity likewise on the particular passions of princes, that they rage not in their revenges, nor run too violently forward in their race of blood and destruction, but admit of peace and pacification to the eternal memory of their virtues and worthiness.



THOUGH I need not speak a word of former Emperors of Turkey, or their actions, or their lives, or their Alcoran; from whence the special impositions on their government are, first, to erect some famous monument toward the exaltation of their religion. Secondly, and perform some memorable enterprise for the enlarging their empire; yet must I name Mahomet the Third, to keep myself closer to the story, that you may know the several passages in the same. This Mahomet left two sons behind him, Achmet and Mustapha; Achmet, at fifteen years old, was chosen Emperor, and lived some fifteen years longer, or thereabouts; and although, by reason of the peace between the Emperor Rodolphus of Germany, and himself, as also the contract between the Polonians and himself, wherein those *Antiqua Fœdera* were renewed,

he did little worthy of memory, concerning heroick enterprises, and military exploits; yet he had the fortune to keep correspondency with his bashaws and janisaries, and took a course, by enlarging their entertainment, and other several donatives, to enlarge their hearts and good liking towards him; so that he had very seldom mutinies, or innovation, because the visier of the army drew them still into the field in the summer, and the visier of the city afforded them their ancient liberty in the winter; but, at last, there was a rebellion by the Scrivano of Asia, whom some confound with the name of Bashaw of Aleppo, which was fortunately and wisely prevented; and, in the end of his reign, the controversies of the princes of Moldavia over-wrought the Polacks to commiserate the cause, and wrought a mischief, which was not ended without unspeakable trouble: For the distastings, beginning in Achmet's time, could never admit of reconciliation, until Achmet's son came in person, with terror and threatenings, into the fields of Bogdonia.

Well, Achmet dies, leaving two young sons behind him, Osman and another; yet some will presume to say, that, being not above thirty-four years old, he had many children, and three hundred wives, or concubines; but, before he died, to make all sure, he resolves to strangle his brother Mustapha, and, according to custom, will leave no competitors in such an empire. For which purpose, a guard of Capagies attend at the iron gates of the Seraglio, and the Mutes are placed in a room accordingly. Now you must consider, that, though they have many ways to enlarge their cruelties, and dispatch offenders, yet none is so affrighting, as the presenting of these officers; for they never come along, without death in their company, and ghastliness in their looks. Sometimes an offender is carried from the Seraglio, by the officers of their tapinaco, such as we say, master of the ordnance, over the sea, and, in the midway, a great stone is tied about his neck, and he is cast into the bottom; and then, according to his greatness, a greater cannon is shot off, unless the Emperor send a countermand, before he be from the water. Sometimes an offender is beheaded; sometimes thrown off a rock; sometimes set upon by the Janisaries, and cut in pieces, as the aga or captain is limited; yet, in these cases, as the Emperor's fury is leniated, they many times escape; but, when the Mutes come in place, all are displaced, against whom their commission is enlarged. Thus is Mustapha to be dispatched, but see how the stronger arm puts out the strong men; the same night, Achmet had a dream, or fearful vision, which some of the dervises would needs presume to rumour abroad in this manner: That he thought, as he was entering into the Seven Towers, the princely prison of his predecessors, his brother kneeled down before him, and cried out, Oh, when shall we leave this horrible custom of shedding innocent blood? Look among all the heathens, and see how quickly they loathed and cast away that crying sin of sacrificing of human flesh. But, instead of replying, he drew his scimiter to strike off his head, had not one, as he conceived, held it fast, that he could not strike; whereupon he demanded angrily, What art thou? I am the good genius of Mustapha, and will not suffer him to perish; therefore leave, and very shortly shall strange things happen in the Empire. Little thought the great Turk to have found a

greater greatness in his sleep; but such was the power of God, or, as the Turks conceited, the fortune of Mustapha, that his brother Achmet, contrary to all expectation, the next morning after his dream, sent for him into the room of state, where he lay on a stately pallet, with all his viceroys and bashaws groveling on the ground, and the principal mufti kneeling before him, reading on a book. It should seem that glad tidings came first to the city, for he was taken out of the prison with great respect and observation; he was admitted to his galley with high ceremonies, and yet solemn countenances; he was accompanied on the sea with thousands of boats, and ten-thousands of weeping eyes; he landed at the Emperor's own caska, with great respect and modest stillness; he walked through the garden of cypress-trees, and, at last, came to an iron gate, where his own company left him, except two bashaws, who led him by the arms: The gate opens, and he must go through a guard of capagies; they bend to the ground, and yet look chearfully, until, at last, the prince spoke as chearfully to the bashaws, saying, What need all this quail and ceremonies to a dying man, or tormenting of my soul, when I go to the execution of my body? In all extremities, there is a courtesy in dispatch, and, when a man must die, O let him die at once, and not be more tortured with the fear and circumstances, than with the thing itself: They durst not reply, but brought him into the room, where the Mutes stood, whose presence did no more appale him than the rest, but that he saw the cruelty confirmed, and their very sight was worse than an irreversible judgment; but, when he perceived no violent hands laid upon him, and that he must yet go further, he was the more astonished, and the more vexed, to endure such a procrastination.

At last, he came where the Emperor lay sick on his pallet, before whom his prostitution was as the ordinary slaves; but, contrary to all expectation, he bade him rise, and commanded certain Persian carpets to be spread, and rich cushions to be laid; on which, according to their manner, he sat cross-legged by him, and, when the Mufti had raised the Emperor up a little, with a faint voice he thus discovered an unlooked for loving heart:

Brother, said he, I am taught by story, and the story of Galba among the Romans, to chuse a successor for the commonwealth, and not an heir in my family. This made him look upon Piso, as worthy to be an Emperor, because he had experience of his virtues, and not upon his kindred, because he was unacquainted with their strength to bear so great a burden: I cannot compare our greatness with the Romans, but I am sure, we are too great for children or fools. I have fair issue of my own, but so weak arms cannot sway the scepter of the Ottoman family: and to leave them under tutelage, who is there worthy to advise such princes, or what account can slaves make of the government, when their own vices shall overflow their banks without restraint, and the envy of others look upon them rather with disobedience than observation? Therefore, to avoid all tumultuous occasions, and to make thee believe, thou art the charge of our prophet Mahomet, instead of a death-like present itself, instead of a prison, this is thy palace: And, whereas thou camest in groveling, thou shalt go out triumphing; the decree of

heaven will have it so, and a voice from heaven commands it so; only this I must conclude, that, as I have remembered thee, thou wilt not forget me and mine: Let not custom overmaster virtue, nor the jealousy in sovereignty be an enemy to thy pity; but let young Osman live, as I have determined, thou shalt not die; yea, the wonder is the greater, that of a captive I have made thee an Emperor, and, instead of the terrors of affliction, brought thee out to the ravishings of Majesty.

He had no sooner done, but he began to faint, and so read them all a lesson of mortality, by opening a book, wherein they saw death written in capital letters, and himself sinking past recovery; which made them recover new spirits, and presently bring his brother out into the Sophia, where the principal Musti proclaimed Mustapha Emperor, intimating to the Janisaries the charge of Achmet, to the discharging their duties; and the pleasure of Mustapha to give them a largess, which, equalling the bounty of other princes, overswayed nicer exceptions, and so, with great acclamations, they ratified the election, and cried out, 'Live and reign great Mustapha!' The next work, was the solemnity of Achmet's funeral, for whom a sumptuous monument and chapel were erected, not inferior to any of his ancestors: Then were commissioners appointed, to overlook the Seraglio, and sequester such women, as had been carnally known of Achmet, to their accustomed palaces, and accustomed manner of magnificence and expences. Presently followed the settling of the Bashaws in their authority, in their several provinces, and overlooking the city officers, with confirmation of such as were worthy. Last of all, his armies and navies were mustered; not that he pretended any war, but because he would commit no solecism in government, or give the soldiers occasion to suspect, that he knew not how to maintain his greatness: Thus is Mustapha Emperor; and they had two years trial of his disposition, whereby they found him harmless, and rather subject to the epithets of quiet princes, than transcending encomiums of great and stirring spirits.

But O the condition of man, and instability of terrestrial blessings! Prince Mustapha was scarce warm in this throne of sovereignty, and setting forward in the race of imperiousness, before Scander and Mahomet Bashaw takes the young Osman out of the Seraglio, and presents him to the Janisaries, a comely, sweet, young youth, of nine or ten years old, demanding, withal, If such an heir of the Ottoman family were to be rejected without cause; or why they should bring an harmless prince, as they reputed Mustapha, into the danger of usurpation, and differing no further from a traitor, but that it was not imputed to him? As for Achmet's will, empires are not so translated; and what could they tell, but private men, for their own ends, had wrought upon his weakness, making a diseased tongue speak that, which a healthful heart, and perfect sense, would not consent to? For it was not probable, that a father would disinherit his children for any brother in the world; besides, there was no trial or cause, either of insufficiency or disability, and, therefore, they could not believe it. Last of all, for any thing they saw, Mustapha himself was not stirring or strong enough, to play the steersman in such an high-built ship, considering the seas

were tempestuous, and many dangerous shores and rocks were to be passed by.

These speeches, to the turbulent Janisaries, were like fuel to fire, and the presence of the lovely youth made them amazed at their inconstancy; so that, by way of penitence, and satisfaction, they quickly altered the acclamation of, Live Mustapha, into the cries of, God save young Osman; and so, without further disputing, he was advanced into the throne, and brought into the Seraglio, when Mustapha least thought of the alteration. But now there is no remedy, he must needs be deposed, and sent prisoner once again into the Seven Towers; his friends more confounded to be so affronted, than amazed at the alteration; yet, suspecting the worst, they abandoned the palace, and, thinking it policy to shift for themselves, had the less honesty to neglect their emperor; but the truth is, they saw manifest signs of a rebellion, and the conspiracy was too great, and too strong, for them to resist, which made them give way to the violence, lest they should have been carried headlong to destruction.

Now doth Osman begin his Phaeton's flourish, and runneth the course of pleasures with his youth, spending four or five years in wantonness and jollity, while his Bashaws spent the time in covetousness, and ambitious over-ruling others; yet, not without careful overlooking the Janisaries, and provident preventing their discontents, and turbulent disposition; but all doth help, for they, over-accustomed to active employment, and living upon the spoil of foreign nations, as much as the emperor's entertainment, cried out to the war; and when answer was made, that the Persians had contracted a new league, and the Emperor of Germany's old covenants were not yet determined, or ended, they presently replied, The indignities which the Russians had offered to their neighbours, the Tartarians, were not to be endured: and they need go no further, than the piracies of the Black Sea, and the injuries of the Cossacks and Polonians: Nay, why should they not march to the expugnation of Leopolis, and the foraging of the countries of Moldavia and Bogdonia; and so forward, to teach Poland a better lesson, than to displease the Ottoman family and mightiness?

The Bashaws knew there was no replying, nor, now the fire was kindled, no other quenching it, than letting it consume to cinders; whereupon, they presently answered, they were glad that the soldiers were so memorable of the glory of the empire, and so ready to employ themselves for the dignity of the nation, and, therefore, they would not, by any means, hinder them, or the cause; but they should find the emperor as careful to satisfy their demands, as they were willing to augment his greatness; so that, if they would give way unto time for the preparing of all things fit for the army, and the sending for the Tartarians to accompany them in the journey, the Emperor should go in person into the field, and Poland soon find, what it was to exasperate such a majesty.

Whereupon, some will have it, that there were letters of defiance presently sent against Sigismond, and the war proclaimed, by sound of trumpet, to affright all Europe: In what manner the Turk proceeded, I will not now dispute; sure I am, that the King of Poland made all

christian princes acquainted with the threatenings, and implored their assistance for the opposition: He sent unto the emperor to hearken to a peace, if it were possible, and correspondent with his honour, that he might spare his forces, rather against the general enemy of Christendom, than the particular revenges of one another: Oh! blessed be the feet of those that bring the glad tidings of peace, and happy is that princely disposition, that would avoid the effusion of christian blood: He sent unto his holiness, to remember the cause of the church, and the affrightings of religion, so that now was the time to assist him with men and money; and, if ever Poland were reputed the bulwark of christianity, and to be maintained accordingly, it was, at this instant, to be looked upon with the eyes of pity and commiseration; for two-hundred thousand Turks and Tartars were in readiness to over-run the country, and devour the inhabitants: He sent into France, by way of intercession, to spare his hand from taking such fearful revenges on his own people, and to spare him but those men, which the wars must consume, and the wrath of a prince bring to destruction: He sent into England, with intimation of the terror, which so many barbarous nations and people, united, must needs afflict one country withal; and his well delivered discourse made such impression upon his majesty's princely heart, that he had a present supply both of men and money: In a word, Whither did he not send to set forward the enterprise? And what did he not do, befitting the goodness of a king, and the greatness of a general, and heroick captain? His army was soon ready, and his Cossacks prepared: By the end of July, he was incamped in the fields of Bogdonia, and, within eight days, intrenched with twenty pieces of ordnance mounted; but the Cossacks quartered by themselves, and, after their accustomed manner, lying between two rivers, were the more emboldened to make their daily excursions upon the Tartars; for, having a bridge in the rear of their camp, with which the Turks were unacquainted, they quickly transported their men, and as quickly damnified their enemies.

When the Grand Seignior was acquainted with the forwardness of these Polonians, and understood they were already incamped, and expected his coming, he was too young to apprehend any fear, and not old enough to lay the blame of his retardance where it was; therefore they made the more haste, when he understood the occasion, and so, according to former preparation, the establishment of divers governments, the ordering the provinces, the settling the great city, the mustering his gallies, the guarding of his castles, and the watching of the Black Sea: The Tartars united themselves to his army, and, both together, made a body of two-hundred thousand; which, with all magnificent preparation, he presented in the same fields, and within sight of the Polonians, where he pitched his imperial tent, and settled himself with unparalleled majesty; the high priests, and doctors of law, attended him; the two great Bashaws accompanied him, the throng of Janisaries waited upon him, and the fry of Tartars brought the carriages up a-pace:

When all things were settled, the Tartars, after their accustomed manner, with great clamours and outcries, and with as great multitudes, gave upon the Polonians, and thought to have made but one bat-

tle and day of trial of the business ; but when they came to pass over rivers, and assail trenches : when they heard the thunders of twenty pieces of ordnance, and felt the mischief and damage ; when they were encountered with ten thousand well-armed horse, and driven back with the fury of courageous hearts ; they knew not what to say, and less to do ; nay, though the Janisaries came as a second unto them, and brought many field-pieces, to answer the discourtesy of their camp's ordnance ; yet, by reason they had not the discipline of Gabions, they were subject to the greater destruction ; and the soldiers, wanting armour, found themselves too weak for the Cossacks ; whereupon they retreated, and were altogether appalled to be so disappointed, which, when Scander Bashaw perceived, he took an opportunity of exprobrating their audaciousness, and chiding their ostentation, whereas now they could perform nothing ; which he did, as some report, to this or the like purpose :

Now, you that are so powerful in insolency and tumults, and were so forward to the war, that we must either take the field to spend your humours, and satisfy your impatience, or be taken by you, and suffer the indignity of your outrages : What say you now to the war ? What can you do to these men ? nay, What will you do for the Emperor's honour, and your own reputation ? Well, seeing you see, by experience, that the times are changed, and the discipline of war must take you out other lessons of fury ; leave your foolish finding fault with your friends, and spend your courages upon your enemies ; there is now no retiring by mutinies, but, setting forward upon advantages, you must either force these trenches, or be forced to endure a slaughter : But I will now answer for you, What is past is remediless ; we come to fight, and, I know, you are resolute to play the men ; therefore follow me, and I will lead you the way to death or glory : Whereupon, without any reply, they came forward with fifty-thousand, and, under the security of a rolling trench, gave a brave camizado on the Polonian camp, with many pieces of ordnance, which they mounted upon pretty good banks, as the pioneers cast up earth before them.

But as they were in this forwardness, the Cossacks came so violently upon the unarmed Tartars, that they were subject to a great slaughter ; so that both they, and the Janisaries, were glad to retire with loss, and the young Emperor, unacquainted with the war, was yet acquainted with oaths and curses, to chide both himself and fortune. At last, the Bashaws, seeing no remedy, and finding so great obstacles of their attempts, projected the preservation of the Emperor's person ; but it may be to secure their own lives ; and so intrenched themselves, being, as they said, the first time that ever so great an army of Turks was inclosed within walls ; by which occasion, necessity compelled them to confess, they had new work in hand, and that there was nothing so easy, as to cry to the war, but nothing so difficult, as to return with victory.

In this manner they lay all the summer, looking upon one another with revengeful eyes, and taking the advantage of so many sallies, that the Turks lost at least, in several skirmishes, fifty-thousand men ; for many times they met about the seeking of victuals, and there fought it out :

Many times they encountered in foraging, and getting provision for their horses: Many times their courages were so exasperated, that, with equal encounters, and appointed sallies, they returned home again, finding the issue nothing but slaughter and blood; and many times they determined to deceive one another, by taking the rivers, and passing the fords, which ended not without destruction, and perishing of whole companies. As for set battles, or one day's trial, by equal agreement of both parties, it never came to so formidable a business, or remarkable adventure; and therefore I cannot but wonder at the shameless reports of strange men, and weak certificates by courants from foreign parts, especially to have them printed; to talk of so many thousands slain, the prince killed, Sigismond defeated, and the whole army put to flight, when yet, as I said, there was never any such matter, nor any set battle fought.

Yet, although the Polonians had rather the better, than the Turks, they did not run away so fast with prosperity, but they were subject to many inconveniences, and they saw plainly the wars were no May-games; for they endured both hunger and cold, slackness of payment, and their entertainment came many times short.

The noble general died in the camp, the prince lay sick of a fever, their horse miscarried, and other lamentable effects taught them extraordinary patience, which made them attend good conditions of peace; and, when they found they might be entertained, they were not scrupulous, or thought it any disparagement to propose the same.

When the Bashaws were thus disappointed (especially Mahomet Bashaw) who was ever an enemy to the Moldavian business, and that he saw the young emperor every way discontented, but especially with himself; as blaming his own unhappiness, that he should, in the first trial of his manhood, be so unfortunate, as to open the door of christian apprehension; that the Ottoman fame was now at the highest, and the Turkish empire subject to diminution: He went another way to work, and persuaded the young prince to make trial of another time, and peace for the present; nay, he did talk of another country, to which, when the Turk angrily replied, he would die first, he enforced the argument, that it should be to his honour, and the Polack should seek it with great mediation.

It is said, the young Emperor shed tears, and was more afraid of his disreputation among his soldiers, than glad of any pacification of the present troubles; yet necessity had no law, and he was, in the end, compelled to the proposed composition. But how? By a politick contriving the business, and secret workings of more nimble spirits; for presently a priest of Moldavia was set on work to go among the Polonians, and, by way of general complaint against the outrageous effects of war, to enlarge the happiness of peace, and infer, what a blessing it were to procure the same: Whereupon he was brought to the young Prince of Poland, and commanders of the army, with whom he at last prevailed so well, and so far, that they sent a solemn embassy to the great Turk, as he lay intrenched in the fields, to intreat a peace, and desire the renovation of the *Antiqua Pacta*, which had been ever between the two nations. The Turk had learned his lesson so well, that

he seemed to make the matter strange, and of great humiliation, if he should consent thereunto, and rather a courtesy granted, than a necessity imposed, and so deferred them a while, till at last (as if he had been over-wrought by the intercession and mediation of his bashaws) he was contented to capitulate the matter, and, after many meetings, and a great deal of conference, articles were drawn, and confirmed with a kind of solemnity, and proclaimed by sound of trumpet in both the camps.

But see the condition of men, and the inconveniences that great Emperors are subject unto; for all the Janisaries themselves neither durst, nor could maintain the war any longer, and were indeed affronted with an over-mastering power, and an over-ruling discipline of war: Yet they rather complained of the Emperor, as being unfortunate, than their own cowardice, as being overmatched, and so broke up the camp with a kind of murmuring and repining. The great Turk took easy journies towards Adrianople, where he discharged the Tartars, and sent most of his Janisaries before-hand to Constantinople. Sigismond, King of Poland, raised his army, and, rewarding the Cossacks, dismissed them home again into their own country; he went in person to Leopolis, from whence (by this time Osman was come to the great city) and sent a solemn ambassador to be there a lieger, as it had been in former times.

By Christmas Osman comes home, and had the accustomed acclamations of the people, with all the ceremonies of his return; whereupon he goes in great pomp to the Sophia, and had the usual guard of his court, Janisaries, to attend him: But, within short space, many fearful accidents appalled them all, and such a mischief followed, as they could not example by any precedent. First, they were astonished at a blazing comet, about which many men did rave in the interpretation. Secondly, they were affrighted at a great fire happening among the Jews, which they presaged ominous to the government. Thirdly, a sore earthquake made their hearts quake for fear: But this is so usual in those parts, by reason of the ascending up the hills, and many caverns under ground, that they needed not have made it, or taken it, for any sign of displeasure. Fourthly, the sea swelling extraordinarily, and the wind from the south-west driving the billows into the corner of the harbour, made such a noise and formidable sound, as catching the tackle of the ships and gallies in its whistling, that they were afraid even of common accidents.

Last of all, and worst of all, by reason of the great concourse of people, and resort of strangers, such a famine happened in the city, and dearth in the country, that every one complained; and, though it was remediless by the policy of man, yet was the fault laid upon superiors, and the Emperor himself did not escape scandal and calumnation.

For, while the visiers and principal officers endeavoured the common good, and studied the weal publick, which could not be done, but by discharging the city of multitudes of inhabitants, all was interpreted to be done for their private wealth, and ambitious over-ruling of others; but, when it came to the discharging of many Janisaries and soldiers out of the city, to live as it were in garison in the country, and that the

Emperor was slack in their donatives, and former allowances out of his treasury; they stormed beyond measure, and threatened the visiers and bashaws to have a better account of the business; crying out, they would not be quiet, till they were employed in one service or other. To this the visier replied, that he wondered at their baseness and audaciousness, that, having failed in all their enterprises, they durst yet complain of any accident, more than their own cowardice. As for the satisfying of wilful men, they would not violate the laws of nations, or infringe the contracted peace with other kingdoms, to appease the mutinies of turbulent spirits, who, if they might have their own demands, knew not what to demand. As for yourselves, what would you have? You know the treasury is exhausted, and the dearth is so great, that we have not sufficient to buy us bread; and, for your murmurings and repinings against the Majesty of the prince, as if he alone were branded with misfortune, or born under some disastrous constellation; how can this be, that, with the same hands, wherewith you boast you uphold the empire, you will presumptuously pull it in pieces? But I see the reason, this is for lack of discipline to make you know yourselves; and so I cannot resemble you better than unto stinking weeds and nettles, which, crushed hard, lose their force, and cannot hurt at all; but, gently handled, will sting and endamage one.

Till this they were not much enraged, but now no flames could exestuate more than their fury and ravings; for they dared to condemn the visiers, and cried out on their childish and unfortunate Emperor, that, having neither sufficient wit nor courage to govern the state, must be overruled by such, as made policy, covetousness, and ambition, the supportation of their greatness, and the commanding voice to do what they list, without controul; yea, such was the refractory disobedience of them at this time, that many offered to lay violent hands both on himself and his servants, and had not the aga, or their captain, come in to their pacification, they had questionless begun a war of mischief, and insolent trouble.

Well, they are quieted all this time; the suspicion of further uproars and mischiefs made the whole city stand upon their guard, and every bashaw strengthened himself with as many friends as he could; and the visiers, for security of the Emperor, assembled the causes, cap-pagies, spaheis, and janisaries of the court, to guard the seraglio, and watch the passages. Now you must consider, that there hath been ever enmity and emulation between these janisaries of the palace, and janisaries at large; whereupon, when these understood, that they were appointed for opposition, and saw plainly, that there was a device to single them out, that so they might be brought in question for their mutinies; they resolved, with Herostratus, that burnt the temple of Diana, to perform some nefarious and notorious outrage, to be remembered to posterity, or be registered for an exorbitant action; and so, in multitudes past belief, they set upon the Emperor's seraglio, broke open the iron gates, dissipated the guards, seized on the women, and took as many bashaws as they could; But the chiefest reason, why they offered this outrage, is as followeth:

Sultan Osman having taken out of the treasury of Seven Towers a

good quantity of gold, and being therewith passed over into Asia, with resolution to go unto Mecca: The great Mufti, his father-in-law, having laboured with all the greatest of the court, whom it pleased not at all, that their Emperor, being so young, should make so far and long a voyage; not being able to remove him from his resolution, as he desired, did, in policy, spread a rumour abroad, that the Emperor had taken so many millions of gold away with him, purposing therewith to make new wars against his enemies, notwithstanding the small satisfaction he had given in the late wars against Poland. Which coming to the understanding of the spahies and janisaries, they rise, and in a fury ran unto the tower, wherein Sultan Mustapha was imprisoned, and, taking him thereout, saluted him Emperor, who was lawfully elected by the father of Osman. This coming to the knowledge of the young Emperor, he sent his grand visier, and the aga of his janisaries, to appease the same, who were presently slain by the soldiers in their fury. By which accident the young Emperor, to remedy this disorder, being forced to come himself in person, was instantly made prisoner, and brought to the presence of his uncle Mustapha; who, having framed judgment against him, caused him to be carried prisoner to the same tower where he himself had been prisoner, and the night following to be strangled, with two of his sons but lately born; which was most inhumanly commanded by Mustapha, his own uncle; who, for the more security, to keep the empire from another usurpation, caused it to be effected.

It is also written, that, although he condescended to deliver into their hands all the chief men they required, which were the principallest of the Ottoman court, who afterwards were all slain with the sword; though he proffered them great gifts, yea to increase their stipends, and other preferments; all could not avail, to assuage the anger of the soldiers.

It is further reported, that the Emperor had given in charge to the keeper of the tower, that he should suffer Mustapha to die of hunger, to avoid those disgraces and accidents which since had befallen him; and it seems he had already sustained some want of food; for, so soon as he came to be set at liberty by the people, he presently cried out for water, saying, he was ready to die of thirst, and that, if he had not come out of prison when he did, he presently had yielded up his life, being, as he said, wonderfully preserved by his God Mahomet.

When the young Emperor Osman was brought to his presence, he kneeled on his knees, and craved pardon of him for his life, as heretofore Ottoman had done the like to him; But Mustapha answered, saying, that favour I have received cometh from heaven, and not from your hand.

He afterwards caused the grand Mufti, the great Turk's uncle, to be put to death, who had formerly bereaved him of so great an empire, and made him a Masul, which is as much as to say, as a man deposed from his office. He placed, in the room of the dead visier, Daut Pascias, a man of great wisdom, and one that had demeaned himself well in matters of greatest importance.

It is also said, that the death of the young Emperor is very ill taken by the soldiers; for they desired the death of none of them, but that they might be reconciled, and govern them as their natural lords and princes, as they best could agree; and the rather, for that, by reason of the death of the aforesaid Osman, the whole race of the Ottomans is extinguished, if the two children are put to death, as is reported, for that Sultan Mustapha, now emperor, is held unable for generation.

Others report, that Sultan Osman was not as yet gone over into Asia, but was upon going, and that the mufti, and other his adherents, not being able to remove him from his resolution, did use this but as a device to divert him, casting this rumour among the people, viz. the spahies and the janisaries, as is aforesaid, which happened to his ruin, and a declination and ending of the Ottoman empire.

To come to a conclusion: Never was so violent an act so suddenly performed, nor so quickly repented: For the janisaries stood amazed at their own villainy, and, by night, there was not a man seen, that durst justify their treasons; for they fled for the present, no man knew whither; and those, which remained, were afraid to stand for the glory of the house of Osman, but they would live and die in the obedience of a worthy Emperor.

But how this uproar ceased, or tumult was appeased; what offenders be taken, or how punished; what bashaws be slain, or from whence others are admitted; by what means the doctors of the law came together again, or whether they escaped: if you long to know, I long as much to inform you; which, if I may do, I will do, according to the next certificate that comes.

The Advice of that worthy Commander,*
SIR EDWARD HARWOOD, COLONEL.

WRITTEN BY
KING CHARLES'S COMMAND,

Upon occasion of the French King's Preparation ;

And presented in his life-time, by his own hand, to his Majesty: hitherto,
being a private Manuscript.

ALSO,

A RELATION OF HIS LIFE AND DEATH.

Whereunto is also annexed divers remarkable Instructions, written by the late, and
EVER-FAMOUS EARL OF ESSEX.

*All tending to the Securing and Fortifying of this Kingdom, both by Sea
and Land, and now seasonably published for the benefit of these times.*

A word spoken in season is like Apples of Gold in Pictures of Silver.

Prov. xxv. 11.

Printed at London, for R. Harford, 1642. Quarto, containing forty pages.

In Memoria Col. Harw. Equitis Aurati.

Carmina quid canerem? Tristes imitantia Musas.

Carmina sunt meritis inferiora suis.

Vixit, quem dederat cursum Deus, ille peregit,

Gentis honos obiit, gloria, fama, decus.

Multa fides, pietasque viri, sic multa recursat

Nobilitas animi; plurima nota loquor.

Though Holland honour'd be, to keep the dust

Of such a soldier, valiant, wise, and just:

The basis of the universe not great,

Nor vast enough, his merits on to seat:

Mars, Hermes, Phœbus, and chaste Theseu's son,

In Col'nel Harwood did meet all in one.

* This is the 98th Number in the Catalogue of Pamphlets in the Harleian Library.

But, should I write his praise, it would be thought,
 A nephew will commend the work, though nought.
 I rather leave it, to each reader's mind,
 To judge thereof, as he the work shall find:
 And, if they say, that he hath not done well,
 Bid him, that blames him, shew his parallel.

M. DRAPER.

To the Right Honourable the Lords and Commons, assembled in the High Court of Parliament.

Right Honourable Lords, and worthy gentlemen, who are all embarked in the ship, the Commonwealth; and as, in a ship, there are divers agents, whereof some of the chiefest sit at the stern to govern; others of an inferior rank climb the mast, hoist sails, and do inferior works in it, all of them according to their several ranks, as they do the duties of their several places; so have interest in the common good, and either do, or ought to mind the publick welfare of it: And as, in building of the tabernacle, some of the chief sort brought gold, silver, and precious stones, others of inferior sort, goats hair and badgers skins, every man, according to his ability, did contribute to the same: I, though but of the inferior rank in this ship, even the meanest of all others, yet embarked therein, see not but I ought to endeavour, though but in inferior works, the good of it, who, though I have not gold, silver, or precious stones, nor any thing besides my poor prayers to advance the glorious tabernacle, yet would, with Ahimaaz, run also, as one willing and desirous to do good, if I had any ability in myself, or opportunity: But having nothing of my own, finding this little manuscript among the papers of my dear deceased brother, and considering the troublesomeness of the times, the fears of the better sort, and hopes of the worse: I have adventured to make it publick, which though written some time since, and upon another occasion, yet there may something be gathered out of it, if I mistake not myself, which may be of good use for these present times of our fears, and sad apprehensions; wherein if there be any thing, which in your grave wisdoms, you may think fit to put in execution, it shall much rejoice me, that I brought it to the light, or at least, if it may but occasion your wisdoms to take into your serious consideration the subject-matter of it, which is the securing of the kingdom against all dangers, that may come to it, and in your wisdoms to think upon better directions, that may remove the fears and apprehensions of most men in these tumultuous times, by reason of the insurrection of our neighbouring kingdom, and the just fears we have of these pestilent enemies of our church and commonwealth, the papists in this kingdom, and their adherents, the prelates: Now as concerning my brother's manuscript, as it was penned in time of

a great sea preparation made by the French King some ten years past, so, as I had it from his own mouth, it gained the approbation and good liking of his Majesty, who commanded him to write his judgment and opinion of those preparations, and by what means, if they were intended against us, we might secure ourselves both for the present, and in future; which though, for some reasons, was not thought fit to be put in execution, yet I have been encouraged by some of good judgment, now to publish it in these times, wherein we have some more apprehension of danger than formerly, partly by the actual rising of these many ill-affected to religion in Ireland, and also those proud threatening speeches lately given forth by the papists here at home, which if not by some such course, as is here propounded, prevented, may breed more danger, than most are sensible of.

Elijah's cloud rose but like a hand, which after overspread the whole heaven; what this may do, if suffered to enlarge itself; how far reach, we cannot directly say; but even to our own horizon we may well presume, if not repelled, or dispersed by a strong and swift gale. The mischief they carry with them cannot be contained in the neighbour kingdom, if they thus grow in their progress. What combination there may be with foreign states, I leave to deeper judgments; but, for my own part, I shall ever subscribe unto the opinion of that noble Lord, concerning an old enemy the Spaniard: That, if he ever find an opportunity, and advantage against us, he will not baulk it: I cannot easily be drawn to a belief, that that great fleet they sent two years since upon our coast, when we and our true-hearted brethren, the Scots, were ready to enter into a bloody battle, was to guard only his soldiers, or treasure; but that there was a design in it upon this kingdom, though by God's mercy prevented. Never came such a fleet upon our coast, save in 88, when they intended a real invasion. But it it be objected, was he not in league with us? But alas! What security can we have thereby, in being in league with him, or any of that religion? When first they hold that it is no fault to break faith with hereticks. Secondly, if it be, the pope's dispensation will take it away. Thirdly, if the pope find it for his advantage, he will so charge them to break with us, that so conscience and obedience shall cure their malice and perfidiousness: I am bold to add to what my brother wrote, what once, long since, I read in a little treatise, which may something conduce to this, of that brave Lord, the late Earl of Essex, expressed in an apology in the late Queen's time of happy memory; which may something strengthen my brother's opinion for making sea preparations, which, with my brother's, I humbly offer to your considerations, there being none under heaven, to whom we can address ourselves, for power and fitness to correct the malignant aspect of these influences, besides your honours: And now, most noble and grave senators, the true and ever renowned patriots of your country, if my zeal, for my country's freedom and prosperity, have born me beyond my bounds, impute it to my error of judgment, and let your candor close with the good intentions of him, who is more in wishes, and

heartly desires, than in parts and abilities, for the felicity of his country. And he shall ever remain

Your honour's most humble,

and obsequious Servant,

GEORGE HARWOOD.

The Life and Death of Colonel Harwood.

Gentle Reader,

THIS little manuscript, penned by my honoured friend Sir Edward Harwood, Colonel of an English regiment in the Low-Countries, was intended for the press, and ready thereunto, when, by God's gracious providence I coming over (having had some experience of his worth) and, in some respect, obliged unto him, was not a little glad to meet with an opportunity to shew my love and respects to him. I therefore desired leave of his brother, of whom I have now obtained it, though with some difficulty, to offer to the world some testimony of it, wherein I will forbear to say what I may, neither is there need for me in that kind to say any thing at all, in respect to those that knew him, and have been conversant with him; they have been eye-witnesses to more than I write; but, for their sakes, who did not know him, I desire a little to acquaint them with his worth, to the end, that they, who have a love to that honourable profession, may have a worthy example to excite their imitation.

It being my portion to travel with him one whole night, not long before his decease, he was (beyond his custom) kept awake all that time by his own spirit; which constrained him to open his bosom to me, and to give me an epitome of his time, and God's dealing with him, of which, and my own observations concerning him, you may please to take this brief extract.

His birth was genteel, and from a root fit to ingraft his future education and excellency: Furnished he was with such learning as his age was capable of, and grew up in an especial respect unto the faithful dispensers of the gospel, and accordingly reaped the fruits of it in God's season. His spirit (though sad enough) yet accompanied with much natural mettle and courage, and looked above other callings, to that which narrow-minded and effeminate men close not with.

He soon attended the school of war of those times, where quick and curious designs issued into daily action and execution. There my Lord Vere, who could well distinguish men, cast his eye upon him, by whose favour, exhaled by his own worth, he was not long ascending the usual step whereon the war placeth reward for its followers: As he grew skilful in his trade, so was he amiable to others. They live who know how dear he was to that justly lamented Prince Henry, who took such delight in him, that his closet thoughts were open to my noble friend,

from whom that noble Prince got no small advantage in his military way: He was also ever precious to King James, of blessed memory; so also no less in the esteem of our now gracious sovereign, witnessing their royal affection towards him in several expressions of their favours. To the illustrious princess, the Queen of Bohemia, who, hearing of his death, cried out in a great passion, Oh! that ugly town of Maestricht, that hath bereaved me of so faithful a servant. Also to that mirrour of his time, the last Lord Harrington, to whom he was so endeared, that he offered to hazard estate, liberty, and life for his good, as by divers of his letters, still extant, appears. To the late Duke of Buckingham, who, after the defeat at the Isle of Ree, remembering what service he did at Cadiz voyage, in bringing off the retreat, cried out, Oh! Ned Harwood! Ned Harwood! that I had had thee here: To the last Lord Steward, to the old Earl of Southampton, to the late Earl of Bedford, to this now Earl of Essex, and to the now Earl of Leicester, who was some time his colonel; to the Earl of Warwick, to the Lord Carlton, and to most of the chief nobility of this kingdom; whose letters, found amongst his papers, mention such real affection, as is scarcely credible, from men of their quality. Neither was he a little dear to that highly honoured Lord, the Lord Craven (who, besides the late real expression of love to his brother, and, for his many, great, noble, and pious works; deserves to have his name written upon pillars of brass) who, when he heard of his death (as was related to his brother) cast himself on his bed, crying out, he had lost his father; such was his love and opinion of him.

Moreover, when his death was noised in the army, there was such a general lamentation for his loss, that his excellency was fain to send special command to still it, lest the enemy should take courage, as thinking it were for some of greater quality: And his excellency himself, in my own hearing, I, being appointed to go before his excellency after the hearse, heard him say, to Count Ernest, 'he had lost his right hand, in the loss of Monsieur Harwood.' To be brief, his name amongst soldiers was, *In omni ore, tanquam mel suavis, et tanquam instrumenta musica in convivio lauto*. He lived, desired; and died, lamented.

He soon ascended (in the states service) to the highest step that Englishmen usually tread, and that was a colonel, in which condition, I had my knowledge of him; and these things my eye observed, that religion, fidelity, and prowess so met in him, that there seemed a constant strife amongst them, which should most appear, and often shewed themselves together, by which he broke the back of that proverb, *Nulla fides pietasque viris qui castra sequuntur*.

The first of these shewed itself in attendance upon the word, intimate acquaintance with, and respect unto the faithfullest dispensers of it; the exercise of his family therein, his purse standing open to the advancement of every work of that nature, in England and Holland: He gave a large sum annually to the redeeming Impropropriations, the ruin whereof was none of his least griefs, together with the many souls that suffer by it; his conceit was, that nothing less than atheism and hellish malice could blast it. He kept a diary of his inward man, wherein he wrote his own slips, infirmities, and God's several ways of providence

towards him, which stood him in no small stead. He was very often in humiliations, and loved those days in his life-time, and to his death, being slain in a publick day of fasting. In all his actions, he gave testimony, that he thought as much of dying, as of living. For the second, he was famous and precious to both the Princes of Orange, in that respect.

In the quelling the Arminian faction, he alone was trusted with a message to King James, and, upon his return, Barnevelt went to his last home. In the Leaguer of the Busse, he had the charge of the Velloe, when Piccolomini was in the bowels of the country with ten thousand men: His excellency intrusted him with the sole trust, managing, and ordering of that service; without limiting his commission, left it, though a matter of main concernment, to his wisdom and fidelity; in which service, he watched thirty whole nights on horseback, and never in that time came to bed; and, in conclusion, by his providence and vigilancy, discharged that great trust, and fully secured the country.

At Cadiz Voyage, which was a matter of trust and great difficulty, he had imposed him the charge of bringing up the rear, where, the enemy setting upon many scattered troops, he brought them off with safety, by an honourable retreat; for want of which, at the Isle of Ree, how many brave English lost their lives, and our nation, much of their honour?

Lastly, his valour was unstained, as all the services he was in can bear large testimony thereof. To be short, He was first hurt by a grando in the foot, at Maestricht (a sufficient warrant to have exempted him from the service for that day) yet would he not leave the prosecution of the design, though often dissuaded and advised of the great danger he adventured, by the worthy gentleman, Capt. Skippon, now Serjeant Major-General, for the City of London; but, going often into the trenches, to view the enemy's works, in a scarlet coat, gave the enemy so fair a mark, that he received from the wall a sudden shot out of a small brass piece, which struck him through the heart, and was from thence, by command of the Prince of Orange, carried to the Hague, where he was interred with as much honour, as ever was any that died in those parts, of his quality. In fine, thus much I must say of him, He was true to his principles (a rare virtue in this age.) He was neither above, nor beneath his calling, but very adequate and true unto it. So sad, serious, and skilful in his way, that you may do well to believe what he writes. He was a good man, a good soldier, a good christian, and is now wearing his crown. Much more I might have said, but I must not make the porch greater than the building, and therefore I conclude,

*Sic O precabor, usque vivere
Me posse, dein sic mori,
Mori me posse, dein sic vivere.*

*So I desire of God, to live and die,
And so to die, to live eternally.*

EPITAPH.

IF rhimes might raise him columns, I believe,
 Nor hearts, nor heads, nor pens would wanting be;
 But, sure, such varnish can small lustre give
 To blaze his worth, his friends may spare that fee:
 For less desert, we may such pains yet keep;
 Let's now remember Harwood, and then weep.

HUGH PETERS.

*Colonel Harwood's Advice to King Charles: Or, a Discourse on the
 Rumour of the French King's Preparation at Sea.*

THE particulars of his preparations not being certainly known, there is no certain judgment to be made of them; I will therefore only take the case, as I suppose it will be granted, That the French King endeavours to make himself strong at sea, and that by two means; one, encouraging his subjects to trade at sea, giving his merchants great privileges and immunities; another, of his own proper cost, buying, and building many great and good ships, and ordaining a yearly and brave proportion out of his revenue, for the increasing and maintaining his navy, as some say three hundred thousand pounds sterling; others, but three hundred thousand crowns; one or other are considerable, and may prove of danger to this state: For this disposition of his argues, that he intends either to enter into a new war with his Majesty, or, at least, to put himself into such a condition, as, when he shall think fit, he may do so, without his disadvantage. That this his arming at sea must be intended, in emulation of his Majesty's lordship of the narrow seas, to equal, or over-top him at sea, is probable. For against whom else? Not against the Hollanders, they are his obsequious friends, desirous of his friendship, fearful of his displeasure: Not against the King of Spain, for he can more easily invade him by land, when he will, as Spain can him; besides, the French King shews no disposition to enter into open war with him, for, having taken on him protection of Mantua, and not well dealt with by him in the last treaty for Italy, making a peace in shew, and yet after, taking his advantage, renewing the war in the Emperor's name; yet doth he not enter into open war with him, but will only be an assistant, else had it not been more easy for him to have invaded Flanders, or Artois, and, so by diversion aided the Duke of Mantua, than by sending an army into Italy in the winter? Therefore, this preparation of the French King, for the sea, hath his chief aim, in present, or future, at his Majesty: I suppose, not to invade England, or it may be none of his Majesty's islands, though that is more than we can be assured of: Some of his ships of war were this winter on his Majesty's coast, went from harbour to harbour, doubtless to discover them, and not for any good to his Majesty: Besides, who can tell, since the Islands of Guernsey and Jersey are the only remainders of the large dominions his Majesty's

predecessors formerly have possessed in France, if he have not an itching to join them to France again; or, if not them, nor Wight, yet to share the dominion of the narrow seas with his Majesty, and that is to take it from him, if he can? To which hitherto he hath not pretended, as not being able to match his Majesty at sea; but, if he continue these his preparations, and that his Majesty, out of hand, prepare not also against it, he will in short time undoubtedly effect it. It will be said, it may be, he hath no good ports or havens. That is an error; it is true, he hath not so many good harbours, as his Majesty hath, yet some he hath, not inferior to any of his Majesty's; it may be also said, that his subjects are not so proper for the sea, nor so affected to trade, as his Majesty's are. It is true, but if he continues to encourage his merchants, turn merchant himself, Will not his princes, great lords, and gentlemen follow his example? For sailors, if he gives great pay, and pay well, he will not want them of other nations; nay, if his Majesty's own subjects have not the like great and good payment, it is to be feared, he may draw many of his, to his service, at first, until there be open wars betwixt the kingdoms; for do not, at this present, many hundreds, I might say, thousands of his Majesty's subjects, serve other states at sea, as the Hollanders, nay, the Turks, without either leave, or knowledge of his Majesty?

Now, if the French King should come to be as powerful, or more, than his Majesty, at sea, he will be a more dangerous and fearful neighbour to England, than Spain, whom hitherto this kingdom has of latter years only had cause to fear; for that, against Spain, the Low-Countries will ever be a good bulwark; who, if the King of Spain at any time make any great preparations at sea, will be ever jealous it is intended against them, and so ever arm against him, and be always ready to join with, and to assist his Majesty against Spain; which, it may be doubted, they will not so readily do against France, with whom they are in league, and not jealous of. Besides, the King of Spain hath not so populous a country, that he can so easily prepare either a great fleet, or land-army, and much less both, without long time; and so his Majesty may have the more warning thereof: Then Spain is further from England, and so the journey is the longer, and from thence cannot come many horse, which are the forces most to be feared in England: Whereas, France being so near us, and so full of soldiers, both horse and foot, if it once come to be able to equal England at sea, by sudden and quick preparations, stealing opportunities, he may overtop England at sea, and then transport such an army of horse and foot, as we might justly be afraid of; for old soldiers, both horse and foot, France abounds in, and the French have a virtue proper to them, That not a gentleman thinks himself any thing, until he has seen the wars, and learned at least good and perfect use of his arms; and naturally they are all good horsemen: Their land affords horses fit for service, and every man almost knows how to use pistol and carabine; whereas in England, unless those which have been soldiers, few or none can use their arms, and, of those which have been soldiers, it may be, not all can well use their arms, especially the musquet, which is of most offence, which our nation are not naturally so prompt to learn the use of,

as the French are: And, for horse, this kingdom is so deficient, that it is a question, Whether or not the whole kingdom could make two thousand good horse, that might equal two thousand French.

To redress these deficiencies, in all humility, I here present my poor and slender advice, under correction, and with submission to better judgments.

First, and principally, I would advise that his Majesty would arm at sea, for that is the surest defence, for we can never be hurt by a foreign enemy by land, till we be first beaten at sea; and therein I cannot give better advice, than to do what the French King doth; as, To repair and increase his own royal navy, which is the greatest and best-assured strength of England; and, to that end, to set a-part some certain large proportion of his revenue, that his seamen may have good pay, and be well paid; and, if there be good and strict courses taken, that there be no abuses in the musters, victualling, and consumption of ammunition (which, without good payment, cannot well be executed) his Majesty will be a gainer thereby in matter of profit, besides the reputation and advantage of his service: And it is my opinion, that there is no prince or state, but had better give forty in the hundred, for monies to pay his militia well, than not to pay well: Then to encourage his merchants and other subjects to trade, and in making new plantations. For his land-forces, That his Majesty would take order, that the numbers of trained men were increased, or rather that the whole kingdom, from eighteen or twenty, to thirty-five or forty, as many men, as were able of body, were armed; one third with pikes and armours, another with musquets, and the third with calivers: That there were powder, bullets, and match through the whole kingdom; magazines thereof in sundry places of the kingdom in such a quantity, as that, if it were invaded in one, or divers parts, there might be no want of ammunition in any place; for it would be then too late to fetch it elsewhere, and much worse than to make it, or send over seas for it. That there were care taken, that these men, then armed, might be well exercised; and, to that end, that there be in every hundred, or wapentake, some old soldier, serjeant, or other inferior officer had out of the Low-Countries well chosen, that might teach men the use of their arms; and that there were certain days set and appointed for the shewing their arms and exercising them: And, if the statutes, which were formerly for shooting in the long-bow, were revived, or converted (with deliberation) for the musquet and calivert to practise by shooting at marks on ordinary holidays, and such like times, and at some times some small prize for them that shoot nearest; under correction, I think it were much for the strength of the kingdom. Then, that there were good choice of the muster-masters; none to be, but such as had borne office in some actual war of reputation for better there were none, and their allowances divided unto sundry inferior men, than for one to draw a great pay, that either knows not to do, or doth not any thing for it: And, because there are, or may be, such as have borne office in the wars, and yet discontinue so long, that they have forgotten their trade, or that the fashion of the wars and exercising be changed, since they were last soldiers, that every muster-master shall not only at his first entrance

be approved, by such as are able to judge him, to be fit for that charge; but, to the end he may continue so, he be enjoined, once in four or five years to go personally, for the summer-time, into some actual war abroad, if any be, to retain and renew his knowledge. That the captains of the trained-bands be enjoined themselves to pass the seas to learn the duties of their places, or at least to keep, at their own charge, one that can discharge their place; and, if neither, to quit their commands to such, as will do the one, or the other.

By this means, his Majesty may have an army of foot on a sudden, in any part of England, to answer all occasions, without drawing his forces much far out of their proper countries; for an enemy may make a shew of landing in one place, and, having drawn the greatest strength of the kingdom thither (winds serving for it) suddenly transport himself to another, before that army can, by land, come thither.

Now, for horse, wherein this kingdom is more defective, than, I think, is any other, it were a work worthy of his Majesty seriously to take it into consideration how to amend it; and, though on a sudden it is not to be hoped to bring the work to any great perfection, yet, a good foundation once well laid, in process of time it may be effected, and for the present be much helped: It is so great a work, and my experience being not so much that way, as in foot, I will not take upon me to deliver any certain grounds for it, but will only point at some ways, whereby, I conceive, it may be reformed. The defects consist chiefly in want of fit horses, and fit men to be horsemen, which I take to be the greater want of the two, and can but wonder, that so great a kingdom should be so defective in so brave and noble a strength, wherein our nearest neighbours so abound. In ancient times we were not so: it may be, one reason is, That now our nation is more addicted to running and hunting-horses, than in those elder times.

For remedy, under correction, first, That there were care taken, that there were a stronger breed of horses through the kingdom; then that his Majesty would begin at his court, and there convert his bands of pensioners into a brave troop of cuirassiers; their horses at least so ready, as to give and charge a pistol on, sometimes to exercise them, by shooting at a mark on horseback with their pistols, and always to keep this band so. To admit none to those places, but such as before were known to be horsemen, and could use a pistol on horseback: Then that the lords, and others of his Majesty's great officers, and council, did follow this example, and every one to keep some great horses, to have arms, and pistols, and some such servants as were fit to be horsemen, and to induce other lords, and gentlemen of great estates, to do the like, and encourage them thereto; to reserve all personal honours (except experienced soldiers that had borne good command) for such noblemen and gentlemen as did in this conform themselves to do his Majesty and country service, whereby those, which never intended to make the wars their trade, might be brought so far, as to be enabled to do something for the defence of their king and country: If the noblemen and gentlemen would take this to heart, as they have done running of races for bells (which, I could wish, were converted to shooting at a mark, with pistols on horseback for the same bell) they would be

sufficient for cuirassiers. Now, for other kinds of horse, I would that the trained-bands were increased, and all reformed to harquebusiers, but whether their pieces to be with firelocks or snaphaunces, is questionable; the firelock is more certain for giving fire, the other more easy for use. For the present, my opinion is, at first, it were best to take up the snaphaunce, until pistols be more frequent, which, being more difficult to use, are fittest, as before, for gentlemen to begin first to bring into use. When they have once brought them to be ordinary, it will be more easy to bring them into use amongst the inferior sort; and, for the present, this kingdom hath not (except in London, and it may be some few towns besides) artificers, that can make or mend firelocks: Then I would have a muster-master a-part, for the horse, as well as for the foot, well chosen, some old horseman out of the Low-countries; for that it is scarce possible to find men that are fit and able for both horse and foot. The kingdom thus armed and exercised, an enemy cannot land in any part of it, but (without unfurnishing the other parts) there will be a competent army presently found to make resistance.

It may be said, these advices will be found not practicable, or very difficult; so are all great works at first; but, I conceive, if his Majesty would take it to heart, and give encouragement of honour and preferments, to such as conform themselves to his pleasure herein, and make this the way of advancement, it would not be difficult; but if, without this way, honour and advancement may be had, well may many think, why should they take such pains, or be at such charge, for that which may more easily be had. And here I cannot but blame our nation in the general, for, I believe, the most glorious of our neighbours will grant it as valiant a nation as is on the earth, that they should not be more addicted to arms, but give themselves, for the most, to expensive pleasures, altogether unserviceable for king and country: Whereas there is not a French gentleman, that so soon as he begins to write man, but learns to ride, to use his arms on foot and horseback, and, whether younger or elder brother, puts himself into some actual war for some time, to learn the trade of a soldier, though he never intend to make it his profession. I would further advise, that all the principal harbours and good landing-places were so fortified, as far as is possible, that no enemies' fleet should anchor in them, or much less land in them, without remarkable disadvantage. The command of which places I would have given to none, but experienced soldiers, and such, as are sound in religion, and had borne commands in the wars for many years, and they to reside in them: Not unto noblemen, or gentlemen of great estates, which seldom, or never, come at them; and much less to meaner men that are no soldiers; for maintenance whereof the charge once arrested, to repartite them on some revenue near adjoining, and, being well paid, to have strict oversight had, that there be always such, and so many able gunners and soldiers present in them, at his Majesty's pay, on all occasions to be used; if less will serve, then why should his Majesty be charged to pay more?

To conclude: If his Majesty would reserve the places properly belonging to the wars (whereof he hath the fewest of any great Prince of Christendom) as, the Governments of his islands, the keeping of the

forts and castles, and places of command in Ireland, only for soldiers, and worthy soldiers, and men sound in religion: It would be a great encouragement to his subjects to follow the wars, to enable themselves to do him service, though to their cost and charge, when they have to hope, that, though they serve a strange prince or state, to their no advantage, yet, thereby enabling themselves to do their own King service, they may, in time, be provided for in their own country; whereas, if charges of command, advancements of honour, may be had better cheap, by staying at home and following their pleasures, there will but few ever take the pains and labour, or be at the charges to enable themselves, by following the wars abroad, all men being led, either by honour, or profit, or both.

The late Earl of Essex's Instructions for England's Safety.

AFTER I had resolved to publish this manuscript of my brother's, I remembered I had read long since, in a little treatise, written by that brave and worthy commander, the late Earl of Essex, concerning sea preparations (though then written in a time when we had an open enemy, and now no such occasion, yet we know not how soon we may); which, though but short, yet my brother's judgment concurring with it, which was, that the safest and surest defence for this kingdom was our navy, and that we could never be hurt by land by a foreign enemy, unless we were first beaten at sea: I thought it not amiss to annex it to this of my brother's, and, by that occasion, reading the whole discourse from which I had it, I found in it, besides, what concerns this point, which was, directions for the securing of this kingdom, some such worthy expressions, which, as they did much affect me in the reading, so, I conceive, they might be of some use also for these times; as, some for imitation, others for other purposes. I thought it not amiss to revive and bring them again to light; some things were spoken by that great lord of himself, some others are related by him of those ancient and renowned Romans, where we may see a braveness of spirit, even in those that were but heathens. Now, if there were such brave spirits in them that had nothing but the light of nature to direct them, what should be then in christians, that have a sun to their candle? Shall they come short of them, in love and affection to their country? Will it not one day rise up in judgment against us, as our Saviour saith of Tyre and Sidon, that have such principles and such encouragements of rewards above them? They had but honour and reputation, I may say, a vain and windy motive: We have the command of God, and a heavenly reward promised, even a kingdom, and that everlasting; and shall we come so short of them, as not to venture any thing for God, his gospel, and our religion? Did a Roman say, he cared not to leave to bury him, so the commonwealth might flourish? What shall a christian do for his country? Shall he not lay aside all

private respects of his own, and only seek God's honour, in his care of the common good.

Now, most noble lords and gentlemen, God having called you unto it, let your country see, and all the world know, that there is more power in religion, than in heathenish principles: Join all your forces together to promote his gospel, and your country's good.

O that the reviving of these few sparks that I have, by this occasion, brought to light, might add fervour to your brave English spirits: What though there be some so degenerate, as, to raise their fortunes, and keep their honours, care not what becomes of the commonwealth, and gospel of Christ: Yet we have found there are many, yea, many, that still retain that ancient virtue in them, and do, even at this time, practise it; to such I will say, Go, on, noble lords and gentlemen, do worthily in Bethlehem, and you shall be famous in Ephrata; set aside all private respects, and, as you have begun with unwearied pains and patience (which in all due thankfulness we do humbly acknowledge) go on still to continue your care of us, and our country's good, and for all others contrarily minded, the Lord either convert them, or suddenly confound them.

In this ensuing relation, I shall only use that honourable lord's own words. I leave their application to all true-hearted Englishmen. The heads are these:

First, His advice for sea preparations, which are not (as I conceive) unuseful for this present time.

Secondly, His protestation of his affection to his country, worthy the imitation of men of his quality.

Thirdly, His extraordinary affection to soldiers and men of war, the favouring and cherishing of whom will be no small security to this kingdom.

Fourthly, His judgment concerning pluralities of religion, tolerated in a state; a thing worthy of due consideration.

Fifthly, The sweet harmony betwixt a loving prince, and loyal subjects, a desireable and imitable thing.

Lastly, A sweet reprehension of the superfluous expence of these times, which, if some course were taken therein to limit them, I see not, but it would make much to the general good of this commonwealth.

First, For his advice for sea preparations, it was this, that, if her Majesty would be pleased but to raise up a sum of a hundred and fifty thousand pounds a year, and put it into the hands of an honest and sufficient treasurer, for the wars, and to be issued by a council of war well chosen, it would fully and sufficiently maintain the war with Spain; yea, such a force should be maintained thereby, as, her Majesty having a convenient number of her own ships, and repairing and furnishing them, as yearly she doth, the enemy should bring no fleet into the seas for England, or Ireland, or Low-Countries, but should be beaten, nor seek to gather one into Spain; but the parts of it should be defeated, before the whole could be assembled; yea, those services

should be done upon the enemy, that the poorest prince or state in Christendom should have little cause to fear his malice.

Secondly, For his protestation of his affection to his country, it was, that the reputation of a most faithful subject, and zealous patriot, with the hazard of his life, and decay of his estate, he had sought to purchase: and when he was offered by the King of Spain, what title, sum of money, or pension he would desire, so as he might be won to take their part, he did profess, that, if God had not put him back, and arrested him by contrary winds and tempests that summer, he would have taught that proud King what effects his proffer had wrought in him; and, the longer the will of God and his sovereign did restrain him, with the greater interest he hopes to pay him in the end, that had sought him out as a fit man to betray his queen and country.

Thirdly, for his respect to soldiers, and men of war, he professed he did intirely love them. First, for his own sake; for he found sweetness in their conversations, strong assistance in their employments with him, and happiness in their friendship: That he loved them for their virtue's sake, and for their greatness of mind (for little minds, though never so full of virtue, can be but little virtuous) and for their great understanding; for to understand little things, or things not of use, is little better than to understand nothing at all: That he loved them for their affections, for self-loving men love ease, pleasure, and profit; but they that love pains, danger, and fame, shew that they love publick profit, more than themselves: That he loved them for his country's sake, for they are England's best armour of defence, and weapons of offence; if we have peace, they have purchased it; if we should have war, they must manage it: Yea, while we are doubtful, and in treaties, we must value ourselves by what may be done; and the enemy will value us, by that which hath been done by our chief men of action. Before action, providence made him cherish them for the service they can do; and, after action, experience, and thankfulness, made him love them for the service they had done.

Fourthly, concerning plurality of religion, professed, in one estate, that it was against the policy of all states; because, where there is no unity or order in the state, it is the manifest ruin of that state; for as the mingling of poison with wholesome liquor, in one vessel, doth not correct that which is lethal, but corrupts that which is wholesome; so the poisoned doctrine of those Hispaniolised Jesuits, once brought in that state, will not endure any profession, save their own.

Fifthly, for the sweet harmony, betwixt a loving prince and loyal subjects; thus doth he say, We, thanks be to God, have a Queen, who hath never been wasteful in her private expence; yet will she sell her plate, and jewels in the Tower, before her people shall be undefended. We are a people that will turn our silken coats into iron jacks, and our silver plate into coats of plate, rather than our sovereign shall be unserved.

Sixthly, and lastly, His pleasing reprehension of the superfluous expences of those times, it is, by way of objection that was made in those times, that they could neither have a good peace, or just war:

and, of two evils, it were better to have a patched peace, than an insupportable war. To which he answers, that those, that did so think, were injurious; first, to our men of war, that fight for them, and defend them, in thinking their arms (which have ever done honour to our nation, and struck terror into the hearts of our enemies) less able to defend our country than their treaties, which have never been free from scorn and disadvantage. Injurious they are to the country that bred them, which, being one of the bravest, strongest, and happiest states in Christendom, is judged, by these men, to be as weak as their own weak hearts. Injurious they are to her Majesty, who, being so great, so glorious, and so victorious a Queen, shall be judged unable to maintain war, when she cannot have peace, but at the pleasure of her enemy. Yea, injurious, and most unthankful they are to God himself, who hath hitherto fought for them, in that, for an unsafe peace, with an idolatrous and irreligious nation, they would leave an honourable and just war. But when some objections might be made, that her Majesty's treasure was drawn deep into, and, if there were any weakness in our means, to make war, it was in our treasure: To this he answers, That though her Majesty's treasure be drawn deep into, and the poor husbandman, by the late hard years past, hath now left scarce any means to live; yet, if our sumptuous buildings, our forfeiting diet, our prodigality in garments, our infinite plate, and costly furniture of our houses, be well considered, England cannot be thought poor: Can we exceed all nations, in Christendom, in wasteful vanities, and can we not arm ourselves against one nation, whom we have ever beaten, for our necessary defence? Was Rome so brave a state, that the very ladies, to supply the common treasure, and to maintain the wars, spoiled themselves of their jewels, and rich ornaments: And is England so base a state, as that the people therein will not bestow some part of their superfluous expences, to keep themselves from conquest and slavery? Did the godly Kings, and religious people, which we read of in the old testament, to maintain war against the enemies of God, sell the ornaments of the temple, and the things consecrated to holy uses? And shall not we, that have as holy a war, spare those things we have dedicated to our own idle and sensual pleasures? Could our own nation, in those gallant former ages, when our country was far poorer, than now it is, levy armies, maintain wars, atchieve great conquests in France, and make our powerful armies known, as far as the Holy-Land? And is this such a degenerate age, as we shall not be able to defend England! No, no, there is yet left some seed of that ancient virtue: I remember, with what spirit and alacrity, the gentlemen of England have put themselves voluntarily into our late actions; there will ever be found some Valerii, which, so the state may stand and flourish, care not, though they leave not wherewith to bury themselves, though others bury their money, not caring in what case they leave the state.

The Conclusion.

THUS far are his own words; and here I intended to have finished this discourse, but my thoughts pressed me to a new task; and what shall I say, most noble lords and worthy gentlemen? I will say to you, even as Abraham did to God: 'Seeing, saith he, I have begun to speak unto my Lord, that am but dust and ashes, let not my lord be angry, I will speak but this once.' Seeing I have taken upon me to publish something, that, I hope, may tend to the good of our bodies; give me leave now to add something, which, I hope, may be no less for the good of souls, and that is this: Most humbly to crave, that you will be pleased to take to your most wise and grave considerations that noble and pious work happily begun, and successively proceeded in, of the feoffees for redeeming in impropriations, of which body, before it was suppressed, I was, though unworthy, a member, and, therefore, can say the more; of which I dare be bold to say, it was one of the most glorious works that ever was undertaken in this kingdom of late years, and did more conduce to the spreading abroad of the glorious gospel of Jesus Christ, than any I ever understood or heard of. Of which I may truly say, as Solomon of the virtuous housewife, 'Many daughters have done virtuously, but thou surmountest them all.' I deny not, but it is good to give to hospitals, to repairing of churches, setting up of free-schools, building of alms-houses, and the like; but I have ever thought, such as concern souls, to be as far above them, as the soul is above the body.

This pious work, it was well approved by his Majesty, as we were informed, at our first undertaking of it; and, I am sure, of all his best subjects, only the Diotrophes's, that St. John speaks of, that love pre-eminence, and thrust their brethren out of the church; the prelates of our time, that never did further, but ever hinder any good work, that tended to the advancement of the gospel of Christ, if it did not comply with their ambitions. But of them I will say no more, you have said so much and so well; but, for this pious work, I dare be bound to say, if it had continued, and not been suppressed, by their means, that, by this time, most of the impropriations of this kingdom had been brought in, and laid unto the church again. A work fit for such an age as this, that hath enjoyed the gospel so long, to have propagated it to the dark corners of this kingdom; and this to be effected and done, not by a forced and strained exaction, but by a free and willing contribution of such as understand the nature of it, and saw the present good fruits and effect of it, which adds much to the glory of it. The contributions, at first, were very encouraging and some underwrit yearly good sums; others, to every impropriation we brought, certain sums; but, towards the time of our unhappy dissolution, the contribution grew much greater; for, not a week before we were suppressed, a lady, yet living, sent us word, she would give a thousand pounds presently, to the furtherance of the work; and many wills have since been altered, that we heard of, that gave brave proportions to it. I never heard of, nor can yet see any such way, to

spread the gospel to the remote and blind corners of this kingdom; neither can we, for aught I know, ever hope to see popery quelled, till a godly painful ministry be established; and that will never be, till competent means be provided; both these had been effected, and the effects, in time, would have manifested what I have said, and the benefit thereof would not only have extended to the church, but also to the commonwealth; for, where a good ministry is placed in a town, there idleness will be abolished, the poor and impotent children, and vagrant set on work, and his Majesty have gained true and loyal subjects, such as he may repose himself in their loves and fidelities. It is the glory of our religion, it was never stained with those hellish plots, massacres, and treacheries, against their sovereign; and, if ever popery be put down to purpose, it must be by the means of establishment of a powerful ministry; then shall we see Satan fall down like lightning; it must be the breath of the Lord that must abolish the man of sin. I deny not, but good laws do well, but, what through favour, conniving, and want of execution, we daily see they have not such good effect, as were to be wished; that I am confident, it must be the powerful conscionable preaching ministry of the gospel, that must especially effect it; and, to procure that, nothing will more conduce, than a full, free, and plentiful provision for the dispensers of it, and not for such as do least to have most. The Lord, in mercy, direct you, bless and prosper your proceedings, and, in his good time, give us to enjoy the happy fruits and effects of your great, long, and unwearied pains.

STRANGE APPARITIONS,

OR,

THE GHOST OF KING JAMES:

WITH

A late Conference between the Ghost of that good King, the Marquis of Hamilton's, and George Eglisham's, Doctor of Physick; unto which appeared the Ghost of the late Duke of Buckingham, concerning the Death and Poisoning of King James, and the rest.

Printed at London for J. Aston, 1642. Quarto, containing eight pages.

King James.

DOST thou know me, Buckingham? If our spirits or ghosts retain any knowledge of mortal actions, let us discourse together.

Bucking. Honour hath not now transported me to forget your Majesty; I know you to be the umbra or shade of my sovereign King James, unto whom Buckingham was once so great a favourite: But what ghost of Aristotle is that which bears you company? His pale looks shew him to be some scholar.

K. James. It is the changed shadow of George Eglisham, for ten years together my doctor of physick, who in the discharge of his place was ever to me most faithful; this other is his and my old friend, the Marquis of Hamilton.

Bucking. My liege, I cannot discourse as long as they are present, they do behold me with such threatening looks; and your Majesty hath a disturbed brow, as if you were offended with your servant Buckingham.

K. James. I, and the Marquis of Hamilton, have just cause to frown and be offended; hast thou not been our most ungrateful murderer?

Bucking. Who I, my liege? What act of mine could make you to suspect that I could do a deed so full of horror? Produce a witness to my forehead, before you condemn me upon bare suspicion.

K. James. My Doctor Eglisham shall prove it to thy face, and, if thou hast but any sense of goodness, shall make thy pale ghost blush, ungrateful Buckingham.

Bucking. I defy all such votes and false accusations; if I had been so wicked, why was not I, when living, brought to trial, and sacrificed to justice?

K. James. A petition was drawn by my doctor, George Eglisham, wherein he most lovingly amplified the ingratitude of thee, my favourite Buckingham, in poisoning me his sovereign, which he then presented to my son King Charles, and to the parliament, for he had vowed to revenge our death; but they, taking no course for the examination of thy guiltiness, by reason of thy plot, which dissolved that parliament, doctor Eglisham was fain to go over into Holland, to avoid the fury of thy malice.

Murq. of Hamilt. Nay, he discovered thee, George Villiers, Duke of Buckingham, who have committed two eminent murders, namely, of the King's Majesty, and of me the Lord Marquis of Hamilton; and, for all thy subtely in thy poisoning art, God hath on earth manifested thee to be the author of our deaths.

Bucking. Were we living, thou durst not use this language; thy words are false: Who dare appear to prove what thou didst speak?

Dr. Eglish. I Doctor Eglisham, as I did once accuse thee unto the King and parliament, and the whole world, so I affirm again, that thou didst poison King James and the Marquis of Hamilton; and first I will prove the murder of the Marquis of Hamilton, who died first.

Bucking. I stand without all fear; and durst thou, base Doctor, to speak even all thy malice can invent against me?

Dr. Eglish. Then know, Buckingham, that, being raised from mean blood to honour, and therefore extreme proud, thou hadst an ambition to match thy niece with the Marquis's eldest son, and the bride should have had fifty-thousand pound sterling for her portion.

Bucking. But, what is this to the matter of poisoning the Marquis?

Eglis. Yes, thy niece being unequal in degree to the marquis's son, the marquis thrice refused the offer of such a marriage, but, at last, hoping some way might be found to annul it before it should be confirmed, he yielded to the King's desire of the match, and at Greenwich, before the King, it was concluded; and you, Buckingham, caused your niece to be laid in bed with the marquis's son in the King's chamber, the bride being unfit and not manageable. Afterwards the marquis having set his son into France to prevent the confirmation of the marriage, and your niece growing marriageable, and the confirmation of the marriage by you desired, the marquis answered her since the motion, which caused a deadly quarrel between you and the marquis, often reconciled, and often breaking forth again.

Bucking. It may be I was offended, but I sought no base revenge.

Eglis. That shall appear hereafter. The Marquis of Hamilton, after this quarrel happened between you, fell sick, and you, whom King James knew to be vindictive, had occasioned this his sickness, and afterwards his death by poison.

Marq. I could not endure that thou shouldst come near me, Buckingham, in my sickness.

Bucking. But I was still desirous to visit you in your sickness, though this unkind observer, Dr. Eglisam, kept me away.

Eglis. I knew your visitation proceeded from dissimulation; but, to hasten to the end of my accusation, you Buckingham, and my Lord Denbigh, would not, all the time of his sickness, suffer his son to come near him, lest my lord marquis should advise him not to marry Buckingham's niece. Matters being thus suspiciously carried, my lord marquis deceased, and you, Buckingham, would have him buried that night in Westminster church: When he was dead, his body was swelled to a strange and monstrous proportion; I desired his body might be viewed by physicians, but you, Buckingham, being guilty, endeavoured to hinder it; but view him they did, and all the physicians acknowledged that he was poisoned; and, after his death, you, Buckingham, sent my lord marquis, his son, out of town, made a dissembling shew of mourning for his death, and a bruit was spread of poisoning Buckingham's adversaries, and the poisonmonger or mountebank, was graced by Buckingham; all which are sufficient grounds to prove you guilty of the Marquis of Hamilton's death: Now I will also declare thee to be a traitor, in poisoning thy sovereign King James.

Bucking. Speak what thou canst, and add more lyes to this relation, I will not answer thee until the end.

K. James. Was Buckingham the author of my death, I would have thought those heavenly essences, called angels, might have been sooner corrupted than Buckingham; was he my poisoner?

Eglis. He was, my liege, Buckingham being advertised that your Majesty had, by letters, intelligence of his bad behaviour in Spain, and that your affection towards him was thereby grown somewhat colder; Buckingham, after his coming from Spain, said, that, the King being grown old, it was fit he should resign all government, and let the prince be crowned.

K. James. Didst thou desire the death of thy aged prince? I could not long have lived by nature's course, must poison needs dispatch me? But proceed, Eglisham, give us the circumstances briefly, how and in what manner I was poisoned by Buckingham.

Eglish. Then thus, my liege, your highness being sick of an ague, and in the spring, which is no deadly disease, Buckingham, when your doctors of physick were at dinner, on the Monday before your death, offered you a white powder to take; you refused it, but, after his much importunity, took it, and thereupon you grew extreme sick, crying out against that white powder, and the countess of Buckingham. Buckingham's mother applied a plaister to the King's heart and breast, whereby all the physicians said that he was poisoned; but Buckingham threatened the physicians, and quarrelled with them, and Buckingham's mother fell down on her knees, and desired justice against those that had said that her son and she had poisoned your Majesty. Poisoned me, said you, and with that, King James, you turned yourself, swooned and died. Buckingham, as before, made a dissembling shew that he was sorry for the King's death, which was nothing so; for he was nothing moved at all, during his sickness, nor after his death. To conclude, the dead body of King James, like as Marquis Hamilton's corps, swelled above all measure, their hair came off, and their nails became loose: Now thereupon, upon these proofs, in presence of the King and marquis, confess thyself guilty, for, Buckingham, thou wert both a murderer and a traitor.

K. James. Buckingham, what canst thou alledge for thyself? Did not I end many differences and jealousies between my son Charles and thee, and compose many fractions? Did not I, when ill language issued from thee, insomuch that blows were struck, and swords drawn in my presence, to the jeopardy of thy life, cry, save my George, save my George? Did I not love thee, Buckingham, as if thou hadst been my dearest son? Made thee, from a low beginning, rise so fast, that thy sudden growth in honour was envied at the court? Hadst thou poisoned some other man, thy soul had not been half so black or foul; thou mightest have been compelled to it by envy, or else transported by some cruel passion, or urged thereunto by jealous fears, to make away thy enemy; but to kill him that was thy gracious prince, whose favour had created thee Duke, and gave thee honours far above desert; it was the highest step of base ingratitude. O Buckingham, go and lament thy sins, and here, to ease thy troubled mind, confess unto me, didst thou poison thy master King James, shew me why, and for what reason thou didst it.

Bucking. First, your Majesty began to decline your wonted affection to me, and likewise to be very jealous of all my actions and sayings. Secondly, your Majesty was stricken in years, and grew intemperate, and a burden to yourself and to your people, and they sick of an old government, and desiring a new change. Thirdly, had I not undertaken it, I could not have stood a favourite to a succeeding King, nor been so eminent in the court.

K. James. Who were actors besides thyself in this hellish plot?

Bucking. Many more besides myself, whom I dare not reveal as

yet; but time shall produce them, and their foul actions. Sir, I desire your pardon; I did contrive your death by poison, but I have paid full justice for it, since my conscience hath been my judge and executioner.

K. James. Let princes learn from thee, never to trust a favourite: But what dost thou answer to the accusation of poisoning the Marquis of Hamilton?

Bucking. This Dr. Eglisham hath spoke all truth, and proved, by many circumstances, that I procured his death by poison; I know that I am guilty, but cannot more be punished; furies of conscience do torment my soul, and I have no hope of ease until you seal my pardon, and say you can forgive me, for I, George, Duke of Buckingham, poisoned King James, and the Marquis of Hamilton.

Eglish. And, lastly, for fear that I George Eglisham should discover you, as I have now done, to be the poisoner, I was sought to be murdered, but I fled into Holland; and there, by your appointment, I was stabbed and killed.

Bucking. I do acknowledge that my mortal hatred unto thee was great; and I acknowledge myself guilty too of thy death, Dr. Eglisham.

K. James. Then, Buckingham, thou wast to me a most ungrateful traitor.

Marq. of Hamilton. To me a cunning and dissembling poisoner.

Bucking. I suffer for it now, for heaven is just: Farewell, I'll go and weep for grief.

MURDER will out, and just revenge, though slow,
 Doth overtake the murderer, this I know,
 Whose passages of life, and shining glory,
 Might be compil'd into a tragick story.
 For, before Felton did my life conclude,
 I added murder to ingratitude;
 Never did weeping penitent confess
 With greater sorrow: Oh I did transgress
 Against the laws of nature, that would have
 Subjects defend good kings, not dig their graves.
 The voice of murder she doth upward fly,
 And unto heaven doth for vengeance cry;
 And you, good king, were gracious to that man,
 Whose ghost you see, the Duke of Buckingham.
 But I was most ungrateful to my king,
 And Marquis Hamilton, whom I did bring
 Both to untimely deaths, forgive my sin. }
 Great king, great marquis, doctor Eglisham,
 All murder'd by the Duke of Buckingham.
 Forgive me all, and pardon me, I pray;
 This being said, the duke's ghost shrunk away.

A WORTHY SPEECH,
 SPOKEN IN THE HONOURABLE HOUSE OF COMMONS,
By Sir Benjamin Rudyard,
 FOR ACCOMMODATION,
 BETWIXT HIS MAJESTY AND HIS PARLIAMENT.

JULY THE NINTH, 1642.

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Mr. Speaker,

IN the way we are, we have gone as far as words can carry us: We have voted our own rights, and the king's duty: No doubt there is a relative duty between a king and his subjects; obedience from a subject to a king, protection from a king to his people. The present unhappy distance, between his Majesty and the parliament, makes the whole kingdom stand amazed, in a fearful expectation of dismal calamities to fall upon it: It deeply and conscionably concerns this house to compose and settle these threatening, ruining distractions. Mr. Speaker, I am touched, I am pierced with an apprehension of the honour of the house, and success of this parliament. The best way to give a stop to these desperate, imminent mischiefs, is, to make a fair way for the king's return hither; it will likewise give best satisfaction to the people, and will be our best justification. Mr. Speaker, that we may the better consider the condition we are now in, let us set ourselves three years back: If any man then could have credibly told us, that, within three years, the queen shall be gone out of England into the Low Countries for any cause whatsoever; the king shall remove from his parliament, from London to York, declaring himself not to be safe here; that there shall be a total rebellion in Ireland, such discords and distempers both in church and state here, as now we find; certainly we should have trembled at the thought of it; wherefore it is fit we should be sensible now we are in it.

On the other side, if a man then could have credibly told us, that, within three years, ye shall have a parliament, it would have been good

news; that ship-money shall be taken away by an act of parliament, the reasons and grounds of it so rooted out, as that neither it, nor any thing like it, can ever grow up again; that monopolies, the high-commission court, the Star-chamber, the bishops' votes shall be taken away, the council-table regulated and restrained, the forests bounded and limited; that ye shall have a triennial parliament, and, more than that, a perpetual parliament, which none shall have power to dissolve without yourselves, we should have thought this a dream of happiness; yet, now we are in the real possession of it, we do not enjoy it, although his Majesty hath promised and published he will make all this good to us: We stand chiefly upon further security, whereas the very having of these things is a convenient, fair security, mutually securing one another; there is more security offered, even in this last answer of the king's, by removing the personal votes of popish lords, and by the better education of papists children, by supplying the defects of laws against recusants, besides what else may be enlarged and improved by a select committee of both houses named for that purpose. Wherefore, Sir, let us beware we do not contend for such a hazardous unsafe security, as may endanger the loss of what we have already; let us not think we have nothing, because we have not all we desire; and, though we had, yet we cannot make a mathematical security: All human caution is susceptible of corruption and failing; God's providence will not be bound, success must be his: He, that observes the wind and rain, shall neither sow nor reap; if he do nothing, till he can secure the weather, he will have but an ill harvest.

Mr. Speaker, it now behoves us to call up all the wisdom we have about us, for we are at the very brink of combustion and confusion: If blood once begin to touch blood, we shall presently fall into a certain misery, and must attend an uncertain success, God knows when, and God knows what. Every man here is bound in conscience to employ his uttermost endeavours to prevent the effusion of blood: Blood is a crying sin, it pollutes a land; let us save our liberties, and our estates, as we may save our souls too. Now I have clearly delivered mine own conscience, I leave every man freely to his.

TWO SPEECHES

SPOKEN BY

THE EARL OF MANCHESTER AND JOHN PYM, ESQ.

AS A REPLY TO HIS MAJESTY'S ANSWER

TO THE

CITY OF LONDON'S PETITION,

SENT FROM HIS MAJESTY.

*By Capt. Hearne, and read at the Common Hall, on Friday, the
Thirteenth of January, 1642.*

ALSO,

A TRUE NARRATION OF THE PASSAGES OF THAT DAY.

Ordered by the Commons in Parliament, that these Speeches be forthwith printed and published.

H. Elsing, Cler. Parl. D. Com.

London, printed for John Norman, for the Good of the Commonwealth, 1642.
Quarto, containing eight pages.

A Speech, delivered by the Earl of Manchester.

MY Lord Mayor and gentlemen, you of the City of London, this assembly can never be looked upon by any members of both houses of parliament, but there must be some offering of gratitude made to you, both of thanks and acknowledgment, for your former large-hearted expressions both of affection and care for the preservation both of the parliament and kingdom. The occasion, why my lords and these gentlemen of the house of commons are come hither, is this: They have read an answer to an humble petition of the Lord Mayor and common-council and citizens of London to his Majesty; in which answer they find many wounding aspersions cast upon persons of very eminent authority in your city, and upon others of very great fidelity and trust among you; this answer they do find, as it is printed, to agree with that, which the gentleman from his Majesty hath here read; and they, owning themselves equally interested (in all things that concern you) with you, have commanded this gentleman to make some observations, by way of vindication, both of the proceedings of both houses of parliament, and of the proceedings of the city, with this assurance,

That they will never desert you, but will stand by you, with their lives and fortunes, for the preservation of the city in general, and those persons in particular, who have been faithful, and deserved well, both of the parliament and kingdom; and they will pursue all means, both with their lives and fortunes, that may be for the preservation of this city, and for the procuring of safety, happiness, and peace to the whole kingdom.

The speech of this noble lord being entertained with loud expressions of joy and thankfulness by the commons, and after some time of silence being made, Mr. Pym, that worthy member of the house of commons, and patriot of his country, gave the sense of both houses, upon the several passages of his Majesty's answer, expressing it as follows :

A Speech, delivered by John Pym, Esq.

MY Lord Mayor, and you worthy citizens of this noble and famous city of London, I am commanded by the Lords and Commons to let you know, that, in this answer, which hath been published to you, they do observe many things of great aspersion upon the proceedings of parliament, very scandalous and injurious to many particular members of this city; whereupon they think, that it becomes them, both in tenderness of their own honour, and in respect to you, to take away all those aspersions, and to let you know the truth of their proceedings, which have been full of honour and justice, as they stand in relation to their own duty, and full of humility and obedience towards his Majesty, and of care for the common good, and so shall ever be. And they have commanded me to let you know the true answer to most of those things that are imputed either to the parliament, or to the city, by observing some particulars of this book which hath been read to you, and to let you know the proceedings in their own native condition, clear from those misrepresentations, which make them appear in a quality much different from the truth; which before I enter into, I am to declare, as the sense of both houses, That your petition was so full of loyalty, humility, and obedience, that you might well have expected an answer of another kind.

The first observation I am to make you is this: That it is said here, 'That his Majesty was inforced by tumults to leave the parliament, and to go from Whitehall, and to withdraw himself into those courses, which now he hath taken.'

I answer thereunto, I am commanded to tell you, That there was no occasion given, by any tumults rising out of this city, or the suburbs, which might justly cause his majesty's departure; and you may very well remember, that, after his violent coming to the commons house of parliament in that unusual and unheard-of manner, which was the beginning of these unhappy differences, the very next day his Majesty came into the city without any guard; that he was present at the common-council, dined at the sheriff's, and returned back again, with manifold

evidences of fidelity on the part of the city, and without any such expressions, as were unbecoming the majesty of a King, or the duty of subjects; that he resided divers days at Whitehall, and afterwards at Hampton-court, Windsor, and places adjoining, with small forces about him, and yet never any attempt was made, which might give him any apprehension of fear: By all which it is manifest, that this is an unjust aspersion cast upon this city, That any tumultuous carriage of your's was the occasion of his Majesty's leaving the parliament, and withdrawing himself to remoter parts.

It is affirmed, 'That the government of your city hath been managed by a few desperate persons, and that they do exercise an arbitrary power.' In answer to which, the two houses of parliament give you this testimony, That you have, in most of the great occasions concerning the government of the city, followed their direction; and that direction, which they have given, and you have executed, they must and will maintain to be such, as stands with their honour in giving it, and your trust and fidelity in the performance of it.

It is objected, in the third place, 'That contributions have been publickly made for the maintenance of that army, which did join battle with the king, and did, by all the means that treason and malice could suggest, endeavour to take away his life, and destroy his issue.' To this I am commanded to say, That the design of bringing up the English armies, the gathering together of the cavaliers about Whitehall, the violent coming to the house of commons, the king's going into the north, and raising armies there, are clear evidences, that violence was first intended, and divers practices were made against the parliament, before they took any course, or made any preparation to take up arms for their defence. For the danger of his Majesty's person, they were sorry for it, and did, by divers humble petitions, labour to prevent it; and, as touching the royal issue, they have sufficiently declared to the world their good affections towards them, by the care, they have taken, both for the safety and maintenance of those who are left here.

It is further expressed, in this answer, 'That the king demands the Lord Mayor, Mr. Alderman Fowke, Col. Ven, and Col. Manwaring to be delivered up, as guilty of schism and high treason.' Concerning which, I am commanded to tell you, as the sense of both houses of parliament, That this demand is against the privilege of parliament (two of them being members of the commons house) and most dishonourable to the city, That the Lord Mayor of London should be subjected to the violence of every base fellow, be assaulted, seized on, without due process or warrant, which the law doth afford every private man; and that you should be commanded to deliver up your chief magistrates, and such eminent members of the city to the king's pleasure, only because they have done their duty, in adhering to the parliament for the defence of the kingdom; and that it is against the rules of justice, that any men should be imprisoned upon such a general charge, when no particulars are proved against them; and this you are to take notice of, as the answer to those scandals, and to that disgrace upon my Lord Mayor and the other members of the city.

And I am further to tell you, That there is little cause for his Majesty to make this demand, considering that he himself doth, by force, keep away many accused in parliament, as my Lord Digby, and many more impeached of high-treason, besides divers other great delinquents, that stand charged there for heinous crimes; all which, by force, are kept from the due proceedings and legal trial in parliament.

It is alledged, in this answer, 'That my Lord Mayor, and those other persons named, are countenancers of Brownists, and Anabaptists, and all manner of sectaries.' To this I am commanded to say, That hereof there is no proof; it doth not appear, that they give any such countenance to sectaries of any kind whatsoever; and, if it did, his Majesty hath little reason to object it, while, notwithstanding the profession, he hath often made, That he will maintain the protestant reformed religion, he doth in the mean time raise an army of papists, who, by the principles of their religion, are bound, if power be put into their hands, to destroy and utterly to root out the protestants, together with the truth which they profess.

It is affirmed, 'That men's persons have been imprisoned, and their houses plundered, because they will not rebel against his Majesty.' To this I am commanded to declare, that no men's houses have been plundered by any direction of the parliament, but that they have been very careful to restrain all such violent courses, so far as they were able; and that they have never committed any man, but such as, by due information, they conceived to be seditious persons, and like to trouble the peace of the state.

It is objected further; 'That the property of the subject is destroyed by taking away the twentieth part, by an arbitrary power.' To this they say, That that ordinance doth not require a twentieth part, but doth limit the assessors, that they shall not go beyond a twentieth part, and that this is done by a power derived from both houses of parliament; the lords, who have an hereditary interest in making laws in this kingdom, and the commons who are elected and chosen to represent the whole body of the commonalty, and trusted for the good of the people, whenever they see cause to charge the kingdom: And they say further, That the same law that did enable the two houses of parliament to raise forces to maintain and defend the safety of religion, and of the kingdom, doth likewise enable them to require contributions, whereby these forces may be maintained; or else it was a vain power to raise forces, if they had not a power likewise to maintain them in that service for which they were raised.

And to this point I am commanded to add this further answer, That there was little reason for this to be objected, on his Majesty's behalf, when it is well known that, from the subjects, which are within the power of his army, his majesty doth take the full yearly value of their lands, and in some cases more; that not only particular houses, but whole towns have been plundered by command and design; and that by proclamations men are declared to forfeit all their estates, because they will not obey arbitrary commands; and this is commonly practised by his majesty, and on his part, and therefore, there was little reason

to charge the parliament with so necessary and moderate a contribution as the twentieth part.

It is declared, 'That the king expects to be kept from tumults and affronts.' Upon which, I am commanded to observe, that his Majesty's expressions, in his answer, tend to the making of a division in this city, and to the raising of a party, which may make some disturbance in that orderly government, which is now established; both which will certainly prove equally destructive to him and both houses of parliament, and more prejudicial to his quiet abode here, than any thing that hath ever been acted by the houses of parliament, or the present governors of the city.

They observe further, that in this answer, 'His Majesty doth profess, that he will seize upon the estates of those that shall contribute any thing towards the maintenance of the parliament's army, and will put them out of his protection, and by his ministers in foreign states, will take such course, that they may be proceeded against as enemies; that is, destroyed and spoiled.' To which the Lords and Commons do declare, That this is an excess of rigour and injustice beyond all example, that particular men should lose their private estates, here without law, or judicial proceeding: And that our prince, who owes protection to the kingdom, as well as to particular persons, should suffer the wealth thereof to be robbed and spoiled by foreign states; upon due consideration whereof, they hope his Majesty will be induced, by better counsel, to forbear the execution, than that, by which he hath been persuaded to publish such a resolution.

Besides these observations, out of the answer, I am to observe one out of a narrative that was received from the common-council, that the king did declare, that he would send some messengers here, to observe your carriage in the city, and what was done amongst you; the parliament have just cause to doubt, that these will be messengers of sedition and trouble, and therefore desire you to observe them and find them out, and that they may know, who they are.

I am for a conclusion to commend to your considerations, that you see by the proceedings to which the king is drawn by the ill council now about him, that religion, the whole kingdom, this glorious city, and the parliament, are all in great danger, and that this danger cannot be kept off in all likelihood, but by the army, that is now a foot; and that the Lords and Commons are so far from being frightened by any thing that is in this answer, that they have for themselves, and the members of both houses, declared a further contribution towards the maintenance of this army, and cannot but hope and desire, that you, that have shewed so much good affection in the former necessities of the state, will be sensible of your own, and of the condition of the whole kingdom, and add to that, which you have already done, some further contribution, whereby this army may be maintained for all your safeties.

At the end of every period of this speech, the applause was so great, that he was fain to rest, till silence was again made, and at last, the company ready to be dissolved, after some pause and consultation with

the committees of Lords and Commons, then present, and by their direction, silence being made, he closed all with the words following:

‘ Worthy citizens, you have understood the sense of both houses of parliament, concerning my Lord Mayor here, and those worthy members of your city, that are demanded; you have heard the parliament declare, that they will protect them in that which they have done by direction of both houses, and they expect, that you should express it yourselves likewise, that if any violence be offered to them, you will secure and defend them with your uttermost force; and you shall always find, that this protection of the parliament shall not only extend to these, but to all others that have done any thing by their command.’

Which words were no sooner uttered, but the citizens, with one joint harmony of minds and voices, gave such an acclamation, as would have drowned all the former, if they had been then breathing, which after a long continuance, resolved itself into this more articulate and distinct voice, ‘ We will live and die with them, We will live and die with them,’ and the like.

So that in the managing of this day’s work, God was so pleased to manifest himself, that the well-affected went away not strengthened only, but rejoicing; but the malignants, as they have been called, some convinced, others silenced, many ashamed; it fully appearing how little power they had to answer their desires of doing mischief; whilst instead of dividing the city, they were exceedingly united; instead of a dissipation, thousands were unexpectedly brought, as it were, into an unthought of association, to live and die in the defence of those zealous and honourable assertors of the peace and liberties: All which we may sum up in that triumph of the man of God. ‘ In the thing wherein they dealt proudly, God was above them.’

A

SPEECH MADE BY ALDERMAN GARROWAY

AT A COMMON HALL,

On Tuesday the Seventeenth of January,

Upon occasion of a Speech, delivered there the Friday before,

BY MR. PYM,

AT THE READING OF HIS MAJESTY'S ANSWER TO THE
LATE PETITION.

Printed in the year 1642. Quarto, containing twelve pages.

Gentlemen,

BEFORE we enter upon the business of the day, I must, in discharge of my duty, speak freely to you of the last day's work, which lies so heavy upon us, that, if we find not some way to free ourselves of the scandal and dishonour of that day, farewell the reputation of this council, and of this city. We sent a petition lately to his Majesty, by six worthy members of this court; if you will believe them, they received a very gracious entertainment from his Majesty; and, if you will believe most wise men, they brought a very gracious answer back from his Majesty, with directions, by a servant of his own, that the same should be communicated to the whole city, from whom the petition was presumed to be sent, a circumstance as gracious as the matter itself. See now how we have requited him? His messenger stays ten days, at the least, before we can vouchsafe to speak with him, whereas ours staid not an hour for admission to his Majesty, and but a day for an answer: Upon the receipt of our petition, his Majesty spoke very graciously of the city, very affectionately of the most considerable part of it; when his answer is read (an answer, I must tell you, worth another manner of debate) Strangers are admitted to make bitter invective speeches against it, and the King that sent it; whilst no honest citizen, who have only right to speak here, durst speak his conscience, for fear of having his throat cut as he went home. Think, gentlemen, what an encouragement we have given his Majesty to treat and correspond with us, whilst he is thus used: I am far from undervaluing both, or either house of parliament; I have been often a member of the house of commons, and know well my duty to it; but, though their privileges are infinitely grown and enlarged since that time, I hope they have not swallowed up all other men's? Though they are the great council and court of the kingdom, yet there are other councils

and courts too, what do we else here? And, though they have a great liberty of language within their own walls, I never heard that they might speak what they list in other places. In my time, when there was any occasion to use the city, as often there was, the lord mayor, or aldermen, or some trusted by them, were sent for to attend either house; but, for members of either, or both houses, to come hither, and be present at our councils, and govern here by privilege of parliament, was never heard of till of late: You will say, it is a great honour to us, that those worthies take the pains to come to us, when they might send for us; it may be an honour too great for us to bear, and truly, I believe it hath been so chargeable to us, that we ought not to be ambitious of such honour. Mr. Pym (who hath been a very costly orator to us) told us (and his speech is since printed for our honour too, to shew how tame a people we are) that there were many things in that answer, of great aspersion upon the proceedings of parliament, and so forth. Truly I know no such thing; if we petitioned for peace, we were to expect his Majesty would tell us by what means that peace came to be disturbed, and then prescribe us a means for our reparation. If any man's guilt hath made him think himself concerned in it, though he be not named, he is his own accuser.

He told us, that there was no occasion given by any tumults, which might justly cause his Majesty's departure, and this, he said, was the opinion of both houses; and his proof was, because his Majesty came into the city without a guard, and dined at the sheriff's, next day after his coming to the house of commons, and returned back again to Whitehall, where he staid some days. I am willing to believe both houses as far as I am able, and, if they had declared that it had been lawful to beat the King out of town, I must have sat still with wonder; but, when they declare to us matter of fact, which is equally within our own knowledge, and wherein we cannot be deceived, they must pardon me if I differ from them. If they should declare, that they have paid us all the money they owe us, or, that there is no cross standing in Cheapside, could we believe them? Why, gentlemen, neither of these is better known to us, than that there were such tumults at Westminster, as might very well make the King think himself in danger. We all well remember what excellent company flocked by Whitehall every day, for a week before the King went to the house of commons, and for his coming to the Guildhall the next day, when he did us so much honour, to vouchsafe us so particular satisfaction, and came without a guard, to shew how much he trusted in our duty and affection (I pray God the deceiving that trust may never rise in judgment against this city) we too well remember the rude carriage of many people to him as he went to the sheriff's to dinner, which was not so much as reprehended by any officer; and we all know what passed the night following, when an alarum was given, that there was an attempt from Whitehall upon the city, and so all men put into sudden arms; and if, by the great industry and dexterity of our good lord mayor, that hubbub had not been appeased, God knows what might have followed; if you will believe some men, they will tell you, the design of those, who gave that alarum, was no less than to pull down Whitehall. There is no question

but there was cause enough for his Majesty to remove from Whitehall; and how quietly he staid after at Hampton-court, and at Windsor, cannot be forgotten, not to speak of that army by land and water, which, accompanied the persons accused, to Westminster, the next day after his Majesty's return, the danger of which was so great, that no honest man could have wished the King had run the hazard of it, by staying.

His Majesty seems to be sensible, that the government of this city is now submitted to the arbitrary power of a few desperate persons, to which the gentleman gave us this testimony from both houses, that we had, in most of the great occasions, concerning the government of the city, followed their direction. Troth, gentlemen, would they had furnished us with a better answer. Have we our charter by the grace and favour of the two houses, or by the goodness of the King? Have we those privileges with foreign princes, by which many here have gotten such estates, by the power of the houses, or by the protection of the King? Why should we then govern the city by the direction of both houses? I am not willing to speak slightly of any persons gotten into authority; only we may say, there be some amongst us, we did not think two years ago to have met here, and yet we were wont to see an alderman coming a dozen years off. I cannot tell what you mean by arbitrary power, but I am sure we are governed by nothing we were used to be governed by. I have been lord mayor myself, in a pleasanter time than this, and should have some share still in the government; before God, I have no more authority in the city, than a porter, not no much as an Aldermanbury porter. If to be governed by people whose authority we know not, and by rules which no body ever heard of, or can know, be a sign of arbitrary power, we have as much of it as heart can wish.

To the King's charge of our contributing for the maintenance of the army which had given him battle, we were told that divers practices were made against the parliament before they made any preparation for their defence. By practices, I think they mean fears and jealousies, for all the particulars, mentioned by him, we know, and are understood by all the boys in the streets; but we are sure there were ten-thousand men raised and armed out of this town, and the neighbouring counties, before the King had seven-hundred. To the danger the King's person was in (at the thought whereof every honest heart trembles) the gentleman told us they were sorry for it; I dare not tell you what I think their sorrow was, but, masters, if you knew how much your estates, and being, depend upon the life and safety of our good King, you would no sooner apprehend him in danger, than you would run to his rescue, as you would fly from the plague and beggary. But that reproach of maintaining the King's children here, I confess, made my heart rise; I hope it did so to many here: Is our good King fallen so low, that his children must be kept for him? It is worth our enquiry, who brought him to that condition? We hear him complain, that all his own revenue is seized and taken from him: Are not his exchequer, court of wards, mint here, his customs too worth somewhat, and are his children kept upon alms? How shall we and our children prosper, if this be not remedied?

They will by no means endure, that his Majesty be obeyed in the apprehension of the lord mayor, and the other three gentlemen; for it is the sense of both houses, that this demand is against the privilege of parliament, and most dishonourable to the city. For the first, I dare not speak my mind, though I must confess myself not able to answer the King's reasons in many of his declarations upon that point; but for, the second (under the favour of both houses) whether it be dishonourable for the city, whether it be fit to be done or no, we are the best, indeed, we are the only judges. I will take the liberty to speak freely my conscience in this case, as a friend to justice, as a lover of these men, and as a servant to the city; and, as all these, I protest to God, if I were now lord mayor, and the other three were my father and my brothers, I would satisfy the King in this point. Did his Majesty ask to have them in to death, merely upon his accusation; or have them sent bound hand and foot to Oxford, where it might be in his power to proceed against them in an extraordinary way, it might seem unreasonable; but to apprehend them to keep them in safe custody, that his Majesty may proceed against them according to the known laws, under which they were born and bred, where, if guilty, they must be left to the justice of the law, and his Majesty's mercy, if innocent, will receive an honourable acquittal, seems to me so just in the King to ask, and so necessary for us to yield to, that the denying it implies a doubt in us of the innocence of those whom we will not submit to justice. Here is a way to find out the King's evil counsellors! If these men do their part, like men of good consciences, submit to the tryal of the law, which is the only judge of guilt and innocence, and are found clear from that heavy charge his Majesty accuses them of, how gloriously will these men live hereafter? And the King cannot refuse to deliver those up who have wickedly conspired the destruction of honest men: But, if we should only cry out, that the King is misinformed, and dare not trust ourselves upon a tryal, we may preserve our safety, but we shall lose our reputation. Thus much for justice, for the gentlemen's sakes now: This way, you see, a way to honour and safety too, if there be innocence; but, do you think, after a month's longer enduring the miseries which are now upon us, men will not more importunately and impatiently enquire after the causes of their sufferings, if they shall find, that the denial to give up four men (who, it may be, are not of any known merit too) to be tried by the law, being accused of high-treason, and conspiring to take away the King's life, incensed our gracious King against us, and kept him from being amongst us, whereby our trade decays, and such violencies and outrages are every day committed: I say, can any four men bear the burden of this envy and malice? Will not some stout, bold persons, incensed and made desperate by their, and the common sufferings, tear these men in pieces? We have been all young men and apprentices, let us remember the spirit was then amongst us; would we have suffered all our hopes to have been blasted and destroyed by any four, or fourteen men? Let us not flatter ourselves, there is the same courage still in the city, which, at some time, will break out to the ruin of more than these men; but I thank that worthy that told

us, that it is against the rules of justice, that any men should be imprisoned upon a general charge, when no particulars are proved against them: How insensibly, in other men's cases, do we accuse ourselves? Why, how many of us, within these six months, have been committed upon a general charge? How many persons of honour and reputation are now imprisoned in this town, when particulars are so far from being proved against them, that they are not so much as suggested? Was ever any charge so general, as to be a malignant or a cavalier? Yet you hear all such imprisonments are against the rules of justice; my opinion is, that, for justice-sake, for the city's sake, these four men should quietly submit themselves to the tryal of the law; if they refuse, that they be delivered up to the hands of justice.

Mr. Pym told us, there was no proof that my lord mayor, and the other persons named, were countenancers of Brownists, Anabaptists, and other sectaries; where should this proof be made? Do we not all know this to be true? Are they not all so much countenanced, as there is no countenance left for any body else? Did not my lord mayor first enter upon his office, with a speech against the book of common-prayer? Hath the common-prayer ever been read before him? Hath not captain Venn said, that his wife could make prayers worth three of any in that book? Oh! masters, there have been times, that he, that should speak against the book of common-prayer in this city, should not have been put to the patience of a legal tryal; we were wont to look upon it as the greatest treasure and jewel of our religion; and he that should have told us he wished well to our religion, and yet would take away the book of common-prayer, would never have gotten credit. I have been in all the parts of Christendom, and have conversed with Christians in Turkey; why in all the reformed churches there is not any thing of more reverence, than the English liturgy, not our royal exchange, or the name of Queen Elisabeth, so famous. In Geneva itself I have heard it extolled to the skies. I have been three months together by sea, not a day without hearing it read twice. The honest mariners then despised all the world, but the King and the common-prayer book; he, that should have been suspected to wish ill to either of them, would have made an ill voyage. And let me tell you, they are shrewd youths those seamen; if they once discern that the person of the King is in danger, or the true protestant professed religion, they will shew themselves mad bodies, before you are aware of it; I would not be a Brownist, or an Anabaptist, in their way for ——— But we are told of an army of papists, who will root out our religion; for my part, I am sure I am not suspected of any affection to papists; yet I confess at this time, I have not the least fear of danger from them, and the truth is, this bugbear is grown less terrible to every body. We know, from the beginning of this parliament, the continual discovery of plots by the papists, and what those discoveries have cost us, and yet, to this day, not the least probable charge objected against them. When the King was at York, no discourse here, but of the papists being there in multitudes, when it is well known, his Majesty took all possible care to prevent the resort of any papists to the court, and I have been assured by very honest men, that, in a month, there was scarce the

face of one papist there. When he first raised his army, did he not, by proclamation, forbid any to come to him? But hark you, gentlemen, where would you have these papists be? Can they live in the air, or in the water? Beyond sea you will not suffer them to pass; if they stay at their houses, they are plundered, it is a good justification for plundering, that they are papists. Are they not the King's subjects, and should they not fly to him for protection? Is there any law, that says the papists must not assist the King with men, arms, or money, when he is in distress, and when he conceives himself to be in danger of his life? Let us look about us, if this world hold, not only all the papists, but all the gentlemen of England will find it necessary to carry all they have to the King, and venture it in that bottom.

But both houses have declared, that there hath been no plundering by the direction of parliament. Here, I think, they would be willing to admit the King to be part of the parliament, to save their honour; otherwise, if plundering signifies the coming with violence into one's house, and taking away his goods against his consent, sure there hath been much plundering, even by the direction of the houses; but have they ever punished plundering of the worst sort, if they have not directed it? Will a declaration of both houses repair the fine wainscot and the goodly leads of honest George Binyon's house? Let me tell you, the time hath been, the loss of such a citizen would have been talked of in another way. I wonder what kind of government is preparing for us, when they will not allow that the imprisonment of our persons is the taking away our liberty, or, the taking away the twentieth part of our estates is the destruction of our property; and did you mark what a notable reason was given us for this? The same law, that doth enable them to raise forces, doth likewise enable them to require contributions. It doth indeed, yet one might be without the other; but I would these gentlemen had chose another auditory to have convinced with this argument; the country people will be no more couzened by the city, when they hear what kind of oratory prevails over us; we shall be shortly told, when they have a mind to our houses, that the same law, which gave them authority to take away our money, gave them likewise power to do the other too.

The King tells us, if we shall hereafter contribute any thing for the maintenance of the army, which, he says, is in rebellion against him (he pardons what is past, mark that) he will deny us the benefit of his protection with foreign princes, which he will signify to his foreign ministers; what remedy have the lords and commons found for this now? Sufficient to do the business, they declare, that this is an excess of rigour, and injustice beyond example, and therefore they hope his Majesty will be induced, by better counsel, to forbear the execution. A very sovereign declaration; but it is ten to one, if we do not obey his Majesty in the injunction he hath laid upon us, he will use this excess of rigour. I know not how little you, that trade only within the kingdom, may think yourselves concerned in this; but I say, whoever understands the trade abroad, and the benefit of being a subject to the King of England, will not run this hazard; for, let him be assured, in

the instant the King disclaims him, he is ruined, and therefore, you who have estates abroad, look to it.

Gentlemen, I have troubled you very long, but, in good faith, the manner and the matter of the last day's work hath lain so heavy upon my heart, that I should have thought I had forfeited this gown, and this chain, if I had been silent, and, that I had betrayed the liberty of that famous city, which I am sworn to defend. One word I had forgotten to mention, the caution which was given us of such messengers as his Majesty should send, that we should observe them, that they might be dealt with, as messengers of sedition: God forbid we should live to see any messengers, sent to us from our gracious King, evilly intreated, I would be loth myself to outlive such a dishonour; if his Majesty shall vouchsafe us the honour of sending to us, let us use and defend his servants, as persons sent to us for our good; if it shall be otherwise, fire from heaven will consume this city. Let us not be wrought upon, by fair words, to contribute or lend more money for the maintenance of this civil, bloody dissension, or bring desolation and confusion upon this glorious city, for the support of four men, who, if innocent, will be safe; but let us remember the happiness and flourishing state we enjoyed, whilst we yielded obedience to our royal sovereign. Let us not, upon the general discourse of evil counsellors, rebel against a prince, upon whose person malice and treason cannot lay the least blemish, but must confess his religion, justice, and charity to be so transcendent, that, if he were a subject, would render him most amiable. Let us consider, that, if he be oppressed, there can be no end of these troubles, but we and our children shall be perpetually weltering in a sea of blood; whereas, if his enemies be overthrown, the whole kingdom will, within a moment, be restored to all the calm, pleasure, and plenty of peace. And therefore, if we intend to enjoy what we have, and that the younger men shall grow up to the same state we enjoy; if the memory of our forefathers, or the hope of our posterity, can move any thing with us, let us lay hold on the King's mercy, and submit to every proposition in his answer.

Whilst the alderman was speaking this speech, several great interruptions were made with hissing, and other such noises, some crying, No more, No more; others as importunately, Hear him, hear him, hear him; so that it was about an hour after he began to speak, before he ended: Whenever the clamour began to stop him, he sat down, without shew of any disturbance, and, when that noise was conquered, he began again, saying what he said last, and so proceeded; only once, when Alderman Bunce said, he spoke against the honourable house of commons, and that it was not to be endured; the alderman replied, with a little sharpness, that he had as much liberty to speak in that place, as any member of the house of commons had in the house of commons; and, if other men were content to lose their privileges, it should be remembered, that it was against his will. At which there was a great shout and acclamation, We will not lose our privileges; and after that there was not the least interruption, but the alderman was heard with great patience and attention. As soon as the speech was done, and the great shout and

hem ended (which some, in the street, apprehended to be a consent to lend money to the parliament, and ran to Westminster, and acquainted the house of commons with it, whereupon four members were appointed to draw up a declaration of thanks to the city) the lord mayor, trembling, and scarce able to speak, asked, What their resolution was concerning assisting the parliament with money, for the payment of their army? And, recovering his voice by degrees, offered them some reasons, and asked them, Whether they would lose all their thanks for what they had done already? But the cry was so great, no money, no money, peace, peace, that he could not be heard. One that stood near the mayor answered, that he doubted not, whoever could make it appear he had deserved thanks, might call for it, and have it; that the question was not, upon losing of some, but forfeiting of all; and whether the city would perish, or quit four men, for whom they had no reason to care? The voice was so great, one crying, That they who set them to work should defend them: Another, That since these troubles, none but bankrupts and knaves had prospered; a third, That, if they had common honesty, they would rather run away, than endeavour to save themselves, by bringing destruction upon the whole city. Then the court rose, and every man departed; so great a company going before, and following after Alderman Garroway to his house, that the streets were as full as at my lord mayor's show, some crying out, Where's Venn and his myrmidons? Others, when they should meet? To which a general shout answered, now, now: One of good credit with them wished them to proceed with discretion. A pox of discretion, said a butcher, we shall be undone with it; let us proceed as these people have taught; When we asked them, what we should have in the place of bishops? They told us, bishops were naught we all knew, and, when they were gone, we should think of somewhat that is better in their room? let us now take away what we know is naught, and we shall do well enough after. I owe them a good turn, for the honour they have done my trade? Sayest thou so, said a sturdy mariner, believe it, they who would persuade the honest sailors to turn traitors to their good King, for all his favours to them, shall repent it. The good alderman, being much troubled to hear the several expressions, besought them to depart every man to his own home, telling them, that, if at this time they should do any thing, it would be imputed to him, and he hoped they wished him no harm; whereupon they were contented to part, promising one another that when they next met, they would do something worth speaking of, and agreed that the word should be, Gurney, in honour of their good lord mayor.

THE
LIFE OF HENRY THE SECOND,
KING OF ENGLAND.

Shewing what troubles befel in his reign, concerning the wars between him and his subjects; and also the manner how he set up his standard near Rudland, Henry of Essex being General, and the manner how he left his crown; necessary to be observed in these dangerous and distracted times of ours.

Printed at London for H. B. 1642. Quarto, containing eight pages.

IN the year of our Lord 1154, Henry the Second was crowned; he was a man of a low stature, and fat of body, of a fresh colour, a valiant soldier, a good scholar, and of good expression in his speech; very wise, and much delighted with peace.

In the second year of his reign a council was held at Wallingford, where the nobles were sworn to the king and his issue, by an oath of allegiance composed by the king and his council for that purpose; after which Geffery the king's brother rose in rebellion, and did much hurt, but was afterwards overcome by the king, and all was yielded into the king's hands.

In the third year of his reign the Welchmen rose against him, and the king raised an army, and made Henry of Essex his chief general of the army; and, when the king was come into Wales, Henry of Essex, by the commandment of the king, raised the standard, and open war was proclaimed, and many from their own habitations (as also out of divers prisons) came to assist the king, and there was a great battle fought near to Rudland, where there were many men slain on both sides; but the king recovered the castle, and marched towards the castle of Basingwrik, where there was a great slaughter on the king's army, by reason whereof the army was much discouraged, and Henry of Essex, and those under him who had the trust of the bearing of the standard, did at that time let the standard fall down to the ground in the battle, which did so exceedingly encourage the Welchmen, that they pursued with great eagerness; the king himself was exceedingly dismayed hereat, and fled to save his life, but the two armies fought daily, for by the help of the Earl of Clare it was raised up again.

Now the king had appointed a navy of ships also to go forth against them, and Madoc ap Merideth was admiral of the seas, who had spoiled divers churches, and done much hurt in the Isle of Man, and Anglesey; but after much blood-shed they began on both sides to be weary of war, and there was an agreement and peace concluded, and

on the next Christmas day after, King Henry being at Worcester, went to church, and going to prayers with the congregation, took his crown off his head, and laid it on the communion table, and would never wear it after.

In the seventh year of his reign there being great troubles in Ireland about the rudiments of faith, and ecclesiastical rights, the king called a council, and Nicholas of Wallingford and William Fitz-Adelm were sent over to Ireland by the authority and consent of the king and council, at which time was this confession, or creed, published, viz.

‘ I BELEEVE in God Fadir Almichty, fppiper of heaven and earth, and in Ihesus Christ, his oneleihi Son ure Loverd, that is ivange thurch the holy Ghost, bore of Mary maiden, tholede pine under Ponce Pilat, picht on rode tree, dead and is buried, licht into hell, the tridde day from death arose, steich into heaven, sit on his Fadir richt honde God Almichty, then is comminde to deme the quickke and the dede; I beleeve in the holy Ghost, all holy chirche, mone of alle hallwen, forgivenis of sine, fleiss uprising, lif with aaten end.’ Amen.

The king also caused an oath of fidelity to be drawn, for his subjects to swear to his son Prince Henry, concerning his inheritance under their fidelity to the king, in case the king should die before his son, which protestation was taken through the whole kingdom.

In the eighth year of his reign there was a sect sprang up called Publicans; the chief leader of them was one Gerard a good Scholar, but his fellows were most of them silly and ignorant people.

They denied the rights and ceremonies of the church, matrimony, baptism, the supper of the Lord, &c.

These were so stiff, and stood so stoutly to their opinions, that they would not be convinced of any error in their tenents; and, when Gerard the chief of them was brought to Oxford, he would not recant from any of his tenents, wherefore judgment was denounced against them.

1. That they should be stigmatised in their foreheads. 2. That they should be whipped. 3. That they should be turned out of the city. 4. That they should not be received into any town. 5. That none should give them any relief. 6. That none should afford them any succour.

These men nevertheless suffered joyfully, singing as they went, ‘ Blessed are ye when men hate you, Blessed are ye when men hate you, and so wandered in the fields till, with the cold and hunger, they all died, for no man durst relieve them.’

In the ninth year of his reign, Henry of Essex was accused of high-treason before the nobility, and these articles were exhibited against him.

1. That the said Henry of Essex did in the expedition to Wales, in

narrow and hard passage (at Colleshell) most fraudulently throw away the king's standard.

2. That he did with a loud voice pronounce the king to be dead.

3. That he turned back those that came to relieve the king's army against the Welchmen.

These articles he denied, and after great debate thereof, before the king and council, the matter was adjudged to be tried by combat; and Henry of Essex, supposed to be slain, was carried away, but he revived, and spent the rest of his days in reading.

In the twelfth year of his reign the king appointed a collection to be made through all the countries, in this manner, viz.

1. For every Pound in moveable goods being so valued for the first year, 2d.

2. For four years after for every pound so valued, 1d.

3. For arable lands, and for vines, the charge and cost of them not reckoned for every pound thereof after the same manner also.

4. He, that hath an house valued to be worth one pound, to pay one penny.

5. He, that hath some office agent, one penny.

After the payment whereof, the king caused his son Henry to be crowned, by the persuasions of Robert, Archbishop of York, thinking it would prove to the great quietness of himself and his realm, but it proved otherwise; for the young king received the fealties of the earls and barons.

Henry, the younger, rebelled against his father, and many earls and barons fled over to him, and many great and bloody battles were fought between them; but, at the last, the old King subdued this rebellion, and, finding that the Scots had joined against him, gave to many of the young nobility, whom he had found to be loyal unto him, the most part of the land in Scotland, and imprisoned and fined many of the English, for this rebellion.

In the twenty-first year of his reign, a brother of the Earl of Ferrers was slain in the city of London; whereat the King was much displeased, and vowed revenge against the city; and there were great troubles between the court and the city, insomuch that the city was distracted and disquieted within itself; for, in the end, there were many unruly citizens, who did give themselves to the pillaging and robbing of rich men's houses, of whom one Andrew Buckequint and John Ould were chief; but the grave wisdom of the King soon suppressed them; and there was peace between the young King and the old, and the father and the son did eat and drink at one table, and all was ended in peace; and, shortly after, the disobedient son was cut off, and the old King reigned quietly alone.

Then the King called a convocation of the clergy at London, and the pope's legate sat in the chair, and, next to him, the Archbishop of Canterbury, on his right hand, as primate of England; but, when the Archbishop of York saw, that he must sit on the left hand of the pope's legate, he disdained the place, and did strive to croud his arse between

them; but, because the legate was not to remove, and the archbishop would not remove, therefore he most unmannerly swopped him down on the Archbishop of Canterbury's lap, for which he was thrown down to the ground; and, after his complaint made to the King, of whom he thought to have found relief, but was deceived, he was well laughed at for his remedy.

In the twenty-fifth year of his reign there was again a rebellion, after great taxes laid upon the subjects for the voyage to Jerusalem; whereat the king's majesty was so perplexed and troubled, that he cursed the day wherein he was born, and none about him, neither clergy nor nobles, could comfort him; through the extremity whereof he was brought to a grievous sickness: After he had reigned thirty-four years, being above sixty years of age, and leaving in his treasury above an hundred thousand marks, he died.

When this royal king was carried forth to be buried, he was first apparelled in his princely robes, and his crown upon his head, and rich gloves on his hands, and boots on his legs, wrought with gold spurs on his heels, a ring of gold on his finger, a scepter in his hand, and a sword by his side; and, lying thus, like a prince in state, though a dead corpse, he was uncovered, and, looking upon him under his robes, he looked with a most sweet and pleasant countenance, as if he had only slept; who was again covered, and, as he deserved, most honourably buried.

BEHOLD! TWO LETTERS,

THE ONE

*WRITTEN BY THE POPE TO THE THEN PRINCE OF WALES,
NOW KING OF ENGLAND:*

The other, an Answer to the said Letter, by the said Prince, now his Majesty of England.

Printed in the Year of Discoveries, 1642. Quarto, containing four pages.

Most Noble Prince, Salvation and Light of the Divine Grace.

FORASMUCH, as Great-Britain hath always been fruitful in virtues, and in men of great worth, having filled the one, and the other world, with the glory of her renown; she doth also very often draw the thoughts of the holy apostolical chair, to the consideration of her praises. And, indeed, the church was but then in her infancy, when

the King of kings did choose her for his inheritance, and so affectionately, that we believe the Roman eagles have hardly outpassed the banner of the cross. Besides that, many of her kings, instructed in the knowledge of the true salvation, have preferred the cross before the royal scepter, and the discipline of religion before covetousness, leaving examples of piety to other nations, and to the ages yet to come. So that, having merited the principalities, and first place of blessedness in heaven, they have obtained, on earth, the triumphant ornaments of true holiness. And although, now the state of the English church is altered, we see, nevertheless, the court of Great Britain adorned and furnished with moral virtues, which might serve to support the charity that we bear unto her, and be an ornament to the name of Christianity, if, withal, she could have, for her defence and protection, the orthodox and catholick truth. Therefore, by how much the more, the glory of your most noble father, and the apprehension of your royal inclination, delights us, with so much more zeal, we desire that the gates of the kingdom of heaven might be opened unto you, and that you might purchase to yourself the love of the universal church. Moreover, it being certain that Gregory the Great, of most blessed memory, hath introduced to the English people, and taught to their kings the law of the gospel, and the respect of apostolical authority: We, as inferior to him in holiness and virtue, but equal in name and degree of dignity, it is very reasonable, that we, following his blessed footsteps, should endeavour the salvation of those provinces, especially at this time, when your design, most noble prince, elevates us to the hope of an extraordinary advantage: Therefore, as you have directed your journey to Spain, towards the catholick king, with desire to ally yourself to the house of Austria, we do much commend your design, and, indeed, do testify openly, in this present business, that you are he that takes the principal care of our prelacy. For, seeing that you desire to take in marriage a daughter of Spain, from thence we may easily conjecture, that the ancient seeds of Christian piety, which have so happily flourished in the hearts of the kings of Great Britain, may, God prospering them, revive again in your soul: And, indeed, it is not to be believed, that the same man should love such an alliance, that hates the catholick religion, and should take delight to oppress the holy chair. To that purpose, we have commanded, to make continually most humble prayers to the Father of lights, that he would be pleased to put you as a fair flower of the christianism, and the only hope of Great Britain, in possession of that most noble heritage, that your ancestors have purchased for you, to defend the authority of the sovereign high priest; and, to fight against the monsters of heresy. Remember the days of old, inquire of your fathers, and they will tell you the way that leads to heaven; and, what way the temporal princes have taken to attain to the everlasting kingdom. Behold the gates of heaven opened, the most holy Kings of England, who came from England to Rome accompanied with angels, did come to honour, and do homage to the Lord of lords, and to the Prince of the apostles in the apostolical chair: their actions and their examples being as so many voices of God, speaking and exhorting you to follow the course of the lives of those to whose empire you shall one day attain.

Is it possible that you can suffer, that the hereticks should hold them for impious, and condemn those that the faith of the church testifies to reign in the heavens with Jesus Christ, and have command and authority upon all principalities and empires of the earth? Behold how they tender you the hand of this truly happy inheritance, to conduct you safe and sound at the court of the catholic king, and that desire to bring you back again into the lap of the Roman church; beseeching, with unspeakable sighs and groans, the God of all mercy for your salvation, and do tender you the arms of the apostolical charity, to embrace you with all christian affection; you that are her desired son, in shewing you the happy hope of the kingdom of heaven. And indeed you cannot give a greater consolation to all the people of the Christian estates, than to put the Prince of the apostles in possession of your most noble island, whose authority hath been held so long in the kingdom of Great Britain, for the defence of kingdoms, and for a divine oracle, which will easily arrive, and that without difficulty, if you open your heart to the Lord that knocks, upon which depends all the happiness of that kingdom.

It is of our great charity that we cherish the praises of the royal name; and that which makes us desire that you and your royal father might be stiled with the names of deliverers, and restorers of the ancient and paternal religion of Great Britain, which we hope for, trusting in the providence of God, in whose hands are the hearts of kings, and who causeth the people of the earth to receive healing, to whom we will always labour, with all our power, to render you gracious and favourable: In the interim, take notice, by these letters, of the care of our charity, which is none other than to procure your happiness; and it will never grieve us to have written them, if the reading of them stir but the least spark of the catholick faith, in the heart of so great prince, who we wish to be filled with long continuance of joy, and flourishing in the glory of all virtues.

*Given at Rome, in the Palace of St. Peter, the 20th of April, 1623,
in the third Year of our Popedom.*

Pope Gregory the Fifteenth having wrote the foregoing letter to the Prince of Wales, it was presented to him by the Nuncio of his holiness in Spain, he being accompanied with the Italian Lords that then were in the court.

The Prince of Wales, having received this letter, made the following answer, which was after published.

Most Holy Father,

I RECEIVED the dispatch from your holiness, with great content; and with that respect, which the piety and care, wherewith your holiness writes, doth require: It was an unspeakable pleasure to me, to read the generous exploits of the kings, my predecessors; in whose memory, posterity hath not given those praises and eulogies of honour, as were due to them: I do believe, that your holiness hath set their ex-

amples before my eyes, to the end, that I might imitate them in all my actions; for, in truth, they have often exposed their estates and lives for the exaltation of the holy chair; and the courage, with which they have assaulted the enemies of the cross of Jesus Christ, hath not been less, than the care and thought which I have, to the end, that the peace and intelligence, which hath hitherto been wanting in Christendom, might be bound with a true and strong concord; for, as the common enemy of the peace watcheth always to put hatred and dissension amongst christian princes; so I believe that the glory of God requires that we should endeavour to unite them: And I do not esteem it a greater honour to be descended from so great princes, than to imitate them, in the zeal of their piety, in which it helps me very much to have known the mind and will of our thrice honoured lord and father, and the holy intentions of his catholick Majesty, to give a happy concurrence to so laudable a design; for it grieves him extremely to see the great evils, that grow from the division of christian princes, which the wisdom of your holiness foresaw, when it judged the marriage which you pleased to design, between the Infanta of Spain and myself, to be necessary to procure so great a good; for it is very certain, that I shall never be so extremely affectionate to any thing in the world, as to endeavour alliance with a prince, that hath the same apprehension of the true religion with myself: Therefore, I intreat your holiness to believe, that I have been always very far from encouraging novelties, or to be a part of any faction against the catholick, apostolick Roman religion: But, on the contrary, I have sought all occasions, to take away the suspicion, that might rest upon me, and that I will employ myself for the time to come, to have but one religion, and one faith, seeing that we all believe in one Jesus Christ. Having resolved in myself, to spare nothing that I have in the world, and to suffer all manner of discommodities, even to the hazarding of my estate and life, for a thing so pleasing unto God: It rests only, that I thank your holiness, that you have been pleased to afford me the leave; and I pray God to give you a blessed health, and his glory, after so much pains, which your holiness takes in his church. Signed,

CHARLES STUART.

N. B. These are translations of the two Letters contained in the French History of England, &c. which was twice printed in Paris, cum privilegio.

THE
 PETITION
 OF THE
 GENTLEMEN AND STUDENTS
 OF THE
 UNIVERSITY OF CAMBRIDGE.

Offered to both Houses, upon Wednesday, being the fifth day of January, 1642; upon the arrival of that news to them, of the bishops late imprisonment. With their appeal to his most excellent majesty.

Printed at London, for John Greensmith, 1642. Quarto, containing eight pages.

Humbly and plainly sheweth,

THAT, if the very front of our requests be assaulted with a refusal, before we further declare, we, in all humility and observancy, desire not to be admitted; so may we happily ease ourselves of a danger to be bold where we ought, although not where we may; Yet, if we may be heard to those (we mean yourselves) whose ears cannot and (we dare say) must not, to any whatsoever just requests, we again, as in our former prostration, thus desire you, and, if the expression be more humble, beg of you:

First, not to believe this in itself fictitious, humoursome, affronting, and, if not presumptuous, *uno cætera diximus*, those epithets which we know, but, if not know, wish, from yourselves, are not undeservedly, nor unjustly, nor illegally sent forth against those, who, according to your loss, your too much abused patience (heaven grant a speedier execution to your commands) daily, hourly, abuse,

Et Regem et Regnum.

Secondly, although we are not *vox ipsa academia*, nor all regent-masters in the cause, yet we hope the liberal sciences may be as prevalent as the mechanical, intruding, not with swords, but knees, which had not yet been bended, but in this alone our impetration.

Now, our, most honoured senates, may we now, with what a too tedious preamble lulled you, now again awake you.

We, the gentlemen and students of the university of Cambridge, do utterly, from our hearts, shoot back those arrows of aspersion newly cast upon us to be seducers.

To be seducers is an easy matter, you'll say, if sophistry, with her fallacies, may intitle us.

But we have sucked better milk from the tears of our mother; our mother, who never yet was more dejected, yet, from the dust, may ride upon the clouds, and in her due time shine, nay outshine the female conquest in the Revelation. The pillars of the mother is the church, you know it all, who Christians are, are those *Incarcerati*, those who, like Joseph in the pit, or St. Peter with the jailor; those who, with St. Paul, may pray to be let down by a basket (pardon our interruption) may the whole and holy assembly be pleased too, our meaning was good, although the fault of that omission was pardoned before the reiteration.

Again, your supplicants, who, if without guns or feathers, or those, whose reasons are far lighter than their feathers.

(Give us leave, yet without musquet-shot, we beseech you, to jog you by the elbow, a term-phrase or adagy, meanly given, if you are given to cavil.)

Meanly, that is indifferently; but what need we fear a verbal answer, where too many real are so near at hand?

Pro aris et focis was the Romans empress, *pro focis* for a King, *pro aris* for a temple, so on their very hearths they did adore a Majesty; so knew a King which way to go to St. Paul's Cathedral, which way to the Exchange.

Again, we are ready with our lives and bloods to present all collegiate chapels, if that they lay in our power, as well in *interioribus quam exterioribus*, not acknowledging more or less divine service, than with what, as in former times our more primitive Christians did, with erected bodies, and drawn weapons, stand to the doxology creed, and responsals to the church.

All this we protest, and have hitherto really professed in these too much to be lamented times, although our warrant, so far as we can read, was allowed of by Edward the Sixth, *Separatâ Maria continuatum usque ad annum et tempus vicesimum septimum Caroli Regis*. To whose Majesty, whose person, whose religion we appeal to. To his Majesty as God's vicegerent, to his person as God's representative image, to his religion as God himself alone.

By this only consequence,

*Ubi Religio
Ibi Templum,
Ubi Templum,
Ibi Deus.*

*Templum Deme,
Deme Deum;
Deme Templum,
Deme Deum.*

A DISCOURSE *

CONCERNING

THE SUCCESS OF FORMER PARLIAMENTS.

Imprinted at London, 1642. Quarto, containing fourteen pages.

SIR,

I HAVE, according to my small ability, and the shortness of time, fulfilled your command, in sending to you this brief and plain discourse concerning the ancient opinions and esteem of English parliaments (for that was all which your desired) without any reflection upon the proceedings of this present parliament: Accept it only as a plain piece of common talk, which I would have delivered, had I been present with you: Such discourses need no dress of rhetorick.

The constitution of our English monarchy is by wise men esteemed one of the best in Europe, as well for the strength and honour of the prince, as the security and freedom of the people; and the basis, on which both are founded, is the convenience of that great council the high court of parliament.

Without which neither can the prince enjoy that honour and felicity, which Philip de Commines, a foreigner, so much admires, where he delivers what advantages the Kings of England have by that representative body of their people, by whose assistance in any action they can neither want means, or lose reputation. Nor, on the other side, can the people have any possibility of pleading their own rights and liberties. For, in the interim between parliaments, the people are too scattered and confused a body, to appear in vindication of their proper interests; and by too long absence of such assemblies they would lose all: For (as Junius observes) *Populus Authoritatem suam tacitè non utendo admittit; sic plerumquè accidit ut quod omnes curare tenentur curet nemo, quod omnibus commissum est, nemo sibi commendatum putet.*

The people insensibly lose their power for want of using it: for so it happens, that what all should look after, no man does; what is committed to all, no man thinks his own charge.

And in that interim it happens, that those *Optimates Regni* (as he speaks) who under the prince are intrusted with government, meaning counsellors, judges, and other great magistrates, either through fear, flattery, or private corruption, do often betray the people's rights to the prince.

* Vide the 238th article in the Catalogue of Pamphlets in the Harleian Library.

The state of government standing thus, if distempered times happen to be (as our chronicles have shewed some) where, by dissension between prince and people, the kingdom's ruin hath been endangered, it doth not so much prove that the English government is not the best, as that the best government may be abused. For in every monarchy, how limited soever, the prince's person is invested with so much Majesty, that it would seem a mockery in state, if there were no considerable power intrusted into his hands; yea, so much as that, if he be bad or weak, he may endanger the ruin of the kingdom; so necessary is it for all human ordinances, how wise soever, to leave somewhat to chance, and to have always need of recourse to God, for his assisting or curing providence.

And though the kingdom of England, by vertue of the government thereof, will be as hardly brought into a confusion, as any in Europe; yet there is no warrant against the possibility of it.

For it was ever heretofore seen, that our parliaments were rather a strength and advantage to an honourable wise prince, than a remedy against a bad or weak one; or, if we change the expression, they were rather an excellent diet to preserve a good reign in strength, than physick to cure a bad one; and therefore have been as much loved by sound and healthy princes, as loathed by them that were out of temper: the latter having thought them a depression of their dignity: As the former have esteemed them an advantage to their strength. So that in such times only the true convenience of that great council hath been perceived by England, and admired by foreign authors: In the other times it was, that those witty complaints have been in fashion (as Sir Robert Cotton speaks of a bad time) that princes in parliaments are less than they should be, and subjects greater. But on the contrary, that they have been an advantage to Kings, the constant series of our history will shew: 1. By those great achievements which they have inabled our wise Kings to make, who were most constant in calling them, and consenting to them. 2. That no one prince was ever yet happy without the use of them.

It may therefore seem a paradox, that any prince should disaffect that which is so high an advantage to him, and a great wonder, that some Kings of England, not vicious in their dispositions, nor very shallow in their understandings, have so much kicked against parliaments. And that such have been, before we shew what reasons may be of it, see the characters of some princes, whose success and fortunes are known to all that read the histories, as they are delivered by Polydore Virgil, who in his sixteenth book speaks thus of Henry the Third: *Fuit ingenio miti, animo magis nobili quàm magno, cultor Religionis, adversus inopes liberalis.* He was of a gentle nature, a mind rather noble than great, a lover of religion, and liberal to the poor.

In his eighteenth book thus of Edward the Second: *Fuit illi natura bona, ingenium mite, quem primò juvenili errore actum in leviora vitia incidentem, tandem in graviora malorum consuetudines et consilia traxerunt. Non deerant illi animi vires, si repudiatis malis suasoribus illas justè exercuisset.* He was of a good nature and mild disposition, who, first by the errors and rashness of youth falling into small faults,

was afterwards drawn into greater, by the society and counsels of wicked men. There was not wanting in him a strength of mind, if, avoiding evil counsel, he could have made a just use of it.

And in his twentieth book, thus of Richard the Second: *Fuit in illo spiritus non vilis, quem consciorum improbitas, et insulsitas extinxit.* He was of a spirit not low or base, but such as was quite destroyed by the wickedness and folly of unhappy consociates.

A reason of this accident may be, that their souls, though not vicious, have not been so large, nor their affections so publick, as their great calling hath required; but being too much mancipated to private fancies and unhappy favourites, and long flattered in those affections under the specious name of firmness in friendship (not being told that the adequate object of a prince's love should be the whole people, and that they who receive publick honour, should return a general love and care) they have too much neglected the kingdom, and grow at last afraid to look their faces in so true a glass as a parliament, and, flying the remedy, increase the disease, till it come to that unhappy height, that, rather than acknowledge any unjust action, they strive for an unjust power to give it countenance, and so by a long consequence become hardly reconcileable to a parliamentary way.

Such princes (though it may seem strange) have been a greater affliction to this kingdom, than those who have been most wicked, and more incurable, for these reasons: 1. They have not been so conscious to themselves of great crimes; and therefore not so apt to be sensible of what they have been accidentally made to do against their people by evil counsel, whose poison themselves did not perfectly understand. And therefore they are more prone to suspect the people, as unkind to them, than themselves as faulty, and so the more hardly drawn to repent their actions, or meet heartily with a parliament. 2. The second reason is from the people, who naturally look with honour upon the prince, and when they find none, or few personal vices in him (not considering that the true virtues of princes have a larger extent than those of private men) will more hardly be brought to think, though themselves feel, and suffer for it, that he is faulty; and therefore sometimes (which would hardly be believed, if experience had not shewed it) the people have been so rash as that, to maintain for the King an unjust prerogative, which themselves understand not, they have to their own ruin, and the King's too (as it hath after proved) deserted that great council whom themselves have chosen, and by whom only they could be preserved in their just rights; until too late, for the King's happiness and their own, they have seen and repented their great folly.

Such a desertion was too sadly seen, at the end of that parliament of Edward the Second, where the two Spencers were banished, and the tragical effects that followed, when the King found so great a party, both of clergy and laity, as enabled him to call home again his banished favourites; and proved fatal to so many parliamentary lords, as the like execution of nobility had never before been seen in England; over whose graves the people afterwards wept, when it was too late, and

proceeded further in their revenge, than became the duty and allegiance of subjects.

It is, therefore, a great misfortune to England, and almost a certain calamity, when the distempers of government have been let grow so long, as that, for their cure, they must need a long parliament: For there are no ways, how just, how moderate soever, they be, which that great council can take, if they go far enough, to make the cure, but will provoke, either by the means, or the length of them, the prince's impatience, or the people's inconstancy.

For the first, the delinquents must needs be many and great, and those employed, and perchance highly favoured by him; besides, the reflexion which is made upon his judgment, by their sufferings; and that will be one reason of his impatience.

Another is, that many prerogatives which were not indeed inherent in the crown, but so thought by the prince, and by him, and his bad counsel, long abused, to the prejudice of the people, with some seeming advantage to him, though, well weighed, they brought none, are then, after a long sufferance, called in question.

For the people are used to intrust kind princes with many of their own rights and privileges, and never call for them again, till they have been extremely abused. But, at such a time to make all clear, after so long a reckoning (and those long reckonings of state being commonly fatal; for parliaments have seldom been discontinued, but by such princes whose governments, in the interim, have been very illegal) they usually question so much, as that the prince thinks himself hardly dealt withal; such a prince, as we spoke of, who not bad in himself, but long misled by wicked counsel, was not enough sensible of the injuries he had done.

The second obstacle, that such parliaments may find, is the people's inconstancy; and what age is not full of such examples, which before we name, let us consider whether there be any reason for it? This perchance may be one, that the people naturally are lovers of novelty, affecting, with greediness, every change; and again loathing it, when it ceases to be a novelty. Long discontinued and reforming parliaments seem to carry the face of a change of government; and those things may then happen, which do in the shift of princes, that some people, may, for a while, flatter themselves with new and strange hopes, that prove frustrate; or else with quicker redresses of inconvenience, than the great concurrence of so many weighty businesses can possibly admit, how industrious soever that great council be, distracted with so great a variety; and the people, after some time spent, grow weary again of what before they so long had wished to see. Besides, the people are more and more poisoned daily by the discourses of the friends, kindred, and retainers to so many great delinquents; as must needs be at such a parliament: who, though they be no considerable party, in respect of the whole commonwealth, yet ply their particular interests with more eagerness, than most do the publick. They subtly persuade the people, that whatsoever the parliament does against those great delinquents is aimed against the King's honour, and that he is wounded through their sides. And this opinion is somewhat furthered, when the

people see how many prerogatives of the prince, as we said before, are after long enjoying called in question. So that, by this means, their inconstancy seems to be grounded upon loyalty to the King, and they, perchance, with honest, but deceived hearts, grow weary of the great council of the land.

Another reason may be, that the prince himself averse from such a parliament, for the reasons aforesaid, can find power enough to retard their proceedings, and keep off the cure of state so long, till the people, tired with expectation of it, have by degrees forgot the sharpness of those diseases, which before required it.

By this means at last, accidentally a miracle hath been wrought after a long parliament, which is, that the people have taken part with the great delinquents against the parliament, for no other reason, than because those delinquents had done them more wrong, than the parliament could suddenly redress. And so the multitude of those great delinquents crimes hath turned to their own advantage.

But in such reforming parliaments, upon whom so much business lies, not only the inconstancy of the people hath been seen in history, but the unstedfastness of the representative body itself, and the distractions of that assembly, whilst they forsake each other under so great a burthen, have let that burthen fall dishonourably to the groupd. The most unhappy instance, in this case, was that parliament of Richard the Second begun at Westminster, and adjourned to Shrewsbury, in the nineteenth year of his reign; a parliament that discharged their trust, the worst of any that I read of, where there was as much need of constancy and magnanimity, as ever was, to redress those great distempers, which were then grown upon the state; and as much mischief ensued by their default, both upon prince which people, and might have been well prevented, and his happiness wrought together with their own (in the judgment of best writers) if they had timely and constantly joined together, in maintaining the true rights of parliament, and resisting the illegal desires of their seduced King. But, being fatally distracted, the major part of lords and bishops wrought upon by the King, and the house of commons too far prevailed with, by Bushy the speaker, and his instruments, they utterly deserted the commonwealth, and, looking only upon the King's present desire, assented to such things, as made the prerogative a thing boundless; that he himself, as the story reports, was heard glorying to say, that there was no free and absolute Monarch in Europe, but himself. Upon which, the same bad counsel, which had before brought him out of love with parliaments, brought him to as great an abuse of that power, which he had now gotten over a parliament. And then followed the blank charters, and other horrid extortions, besides the suffering of some lords, whom the people most loved; and shortly after, by a sad consequence, his own ruin. Nor do we read, that any of those lords, who under colour of loyalty and love (as they called it) to his person, had trodden down the power and privilege of a parliament, under his feet, had afterwards so much loyalty to him, as to defend his crown and person, against the force of an usurper, who, without any resistance or contradiction, unjustly ascended the royal throne; the sad occasion of that miserable and cruel civil war, which,

in the following ages, so long afflicted the kingdom of England. This was the worst example of any parliament; but in other times, though bad too, they have proved better physick than any other earthly ways or means could be; yet their greatest vertue and excellency is seen, when they have been used as a diet, by honourable and just princes, such as this nation hath been often blessed with; and such who have thought it no more disparagement or depression of their dignity, to be ruled by the sway of that great council, than a wise guider of a ship would think it, to follow his compass; or any mathematician to be directed by his necessary rules and instruments.

CERTAIN ORDERS

MEET TO BE OBSERVED UPON ANY FOREIGN INVASION,

For those Shires that lie upon the Sea Coasts.

WITH A DIRECTION TO THE JUSTICES OF THE PEACE.

London, printed by R. C. for Michael Sparke, senior, and are to be sold at the Sign of the Blue Bible, in Green-Arbour, 1642. Quarto, containing fourteen pages.

THAT in every shire be appointed one nobleman to take the chief charge for the ordering and governing of the same, and he to appoint a leader of the horsemen, and another of the footmen, and, under them, captains and officers of all sorts; which captains may be of the better sort inhabiting the country, if their courage and skill be answerable for it.

The chief leaders, both of horsemen and footmen, must be men of that experience, discretion, temperance, and judgment, as well in ordering and disposing of great numbers, as also in taking advantages of grounds, times, occasions, and matters offered. And it were to be wished they were such in all points, as the whole realm might be able to furnish every front shire but with two of that conduct and valour; that there might be also a meeting and drawing together of some convenient numbers, both of horsemen and footmen, to be trained and exercised into all manner of sorts and forms, as well frivolous as necessary, to the intent to make them the more perfect how to give and receive a charge. For I think, if you shall ask the opinion but of three captains, How horsemen ought to charge, and how they should receive a charge? And so likewise of footmen and their retreats, your three captains will be of two opinions at least; and yet the first thing, we offer unto the

enemy, is rashly to join battle, without any foresight of the inconvenience thereof: A thing so generally received of all our nation, for the best way, as who should seem to impugn the same is in danger to be made ridiculous, and his reasons to be holden for heresy, and not fit to be heard or read; and yet, how rude, ignorant, and untowardly we should and would present ourselves thereunto, make but some models of convenient numbers assembled, and you shall see the same.

In private quarrels for trifling causes, every man desireth to be exercised and skilful in that weapon, wherewith he would encounter his enemy; but, in this general conflict, wherein we fight for the safety of our country, religion, goods, wives, and children, we should hazard all in that order and form, wherein we are altogether ignorant and un-experimented.

But, because I have found it, by experience and reason, a very desperate and dangerous kind of trial, I would not wish any prince to venture his kingdom that way, unless he be weary of the same, it being the only thing for an invader to seek, and a defender to shun; for the one doth hazard but his people, and hath a lot to win a kingdom; the other, in losing of the battle, hath lost his crown.

A battle is the last refuge, and not to be yielded unto by the defendant, until such time as he and his people are made desperate.

In which kind of trial, seldom or never shall you see the invader to quail; no, though his numbers have been much less than the other.

There is a kind of heat and fury in the encounter and joining of battles; the which whose side can longest retain, on that part goeth victory; contrariwise, which side conceiveth the first fear, whether it be upon just cause, or not, that side goeth to wreck; yea, and oftentimes it falleth so out, before the pikes be touched.

Thus much to the uncertainty of battle; wherein albeit I would wish our nation to be well exercised and trained, it being a thing of great moment, yet to be used in our own country, as the sheet-anchor and last refuge of all.



A Caveat for the avoiding of that dangerous course in running down to the Sea-side, at the firing of the Beacons.

THAT there be in every shire places appointed, whereunto the country may resort upon the firing of the beacons; which places of assembly should not be less distant, than five or six miles from the sea-side at the least, for the footmen to gather themselves together, to the intent you may the better sort your men, put them in some order, and consult what is meetest to be done; which you shall hardly be able to do, if your place of assembly be within the view, or near unto the enemy, who will by all means seek to attempt you in your disorderly assemblies. Moreover, if fear once take your men, or they be amazed, if you had as skilful leaders as the earth doth bear, they would not be able to dispose or reduce them into such order and form as they would; nei-

ther will the enemy give you time to deliberate what is best to be done, but you must either disorderly fight, or more disorderly run away. And, above all things, I especially advise to shun that old and barbarous custom of running confusedly to the sea-side, thinking thereby to prevent the landing of the enemy, or at least to annoy them greatly; which you shall never do; for, be it upon any invasion, you may be sure, that there is no prince will undertake so great an enterprise, but he will be sure to have such a number of boats, gallies, and other small vessels of draught, as he will be able to land at one time two or three thousand men; which boats shall be so well appointed with bases and other shot, as that they will be sure to make way for their quiet landing. And, for my own part, I much doubt, whether you shall have in two or three days, after the firing of the beacons, such a sufficient number as, with wisdom and discretion, were fit to deal or venture a battle with so many men as they will land in an hour, for any thing that ever I could yet see in the country's readiness at the firing of the beacons.

If the enemy doth intend but to land, and burn some houses or villages near to the sea-coast, for the prevention thereof, as much as may be, it were good to appoint only those, that dwell within two or three miles of the sea-side, to repair thither to make resistance; and, for their succour, you may appoint the horsemen to draw down to the plains next adjoining to the same, who may also keep them at a bay from straggling far into the country.

But, if the attempt be made by a prince purposed and appointed to invade, if you give them battle at the first landing, you offer them even the thing they most desire; and it is a thousand to one a conquest the first day.

My reasons are these: First, You give battle, but, I pray, with what people? even with countrymen altogether unexperimented in martial actions, whose leaders are like to themselves; and another thing, as dangerous as all this, You fight at home, where your people know the next way to save themselves by flight, in recovering of towns, woods, and by-ways.

Contrariwise, with whom do you encounter but with a company of picked and trained soldiers, whose leaders and captains are, no doubt, men both politick and valiant, who are made so much the more desperate and bold, by not leaving to themselves any other hope to save their lives, but by marching over your bellies. And besides, it is to be imagined, that, having spread some faction before, amongst yourselves, as there is no country free from seditious and treacherous malecontents, they are animated to pursue the victory more sharply. Again, if you once receive an overthrow, what fear and terror you have brought yourselves into, how hardly you shall bring a second battle, and how dangerous to fight with men dismayed, those that are of experience can judge. Likewise what pride and jollity you have put your enemies in, to march forward, having no forts, nor fenced towns, to give them any stop in this fear, or for your own people to take breath, and make head again; but that your enemies and factious companies of your own nation may join together, and be furnished with victuals, horse, and carriage at their will and pleasure, without which no prince can prevail in

any invasion; for, if you drive him to bring these things with him (as, if matters be well foreseen, and a good plot laid, you may easily do) a world of shipping will scarce suffice for the transportation thereof, besides an infinite mass and charge, that must be provided before-hand; yea, and what waste and loss thereof will fall out, though wind, weather, and shipping were had to pass without disturbance, experience thereof remaineth yet fresh in memory.

Again, if scarcity of victuals and unsavouriness thereof once grow, the pestilence and other sickness (which assail the best victualled and ordered army that ever was) will then be doubled and trebled, in such sort, that it will, in a short time, fight and get the victory for you.

And here, by the way, I would put you in remembrance, that there be continual lets and disturbances by your navy of the quiet passing of their victuals which should come unto them; whereof you shall oftentimes take advantage also by storms and contrary winds.

Wherefore I hold it for the best and surest way to suffer the enemy, coming to invade, to land quietly at his pleasure; which he will otherwise do, whether you will or not: Only fronting him in the plains with your horsemen; and by all means and diligence to draw the victuals, cattle, carriages, and corn behind your back; and that which you cannot, to waste and spoil, that the enemy take no advantage thereof, keeping such streights and passages with your footmen, as may be kept, and which, with small numbers of your horsemen, you may safely do, until great power do come to back you. And, though they win some streight, which they cannot do without great loss, yet, by keeping of back-receipts in streights, you shall always (if you be so driven) retire without any great loss or danger: And always remember to leave a ward in every place meet to be guarded, though it be but of twenty or thirty persons, which will be an occasion for the enemy to stop the winning of them before they can pass; because else those few numbers will always annoy their victuals and ammunition, that daily and hourly must have free and quiet passage to them. Now, if they tarry the winning or yielding of them up, though it be but a day or two kept, you get thereby time to yourselves to grow stronger, and your enemy loseth opportunity, and waxeth weaker.

For we see, and find by experience, that huge armies, lying in the fields but fifteen or sixteen weeks, are brought to that weakness, and their first courage so abated by sickness and pestilence, which are hand-maids unto such great assemblies, especially where any want of those things is that belong to the sustentation of man's body, that they may, with smaller numbers and less danger, be dealt withal, than at the first landing. Moreover, your people shall, in that time, attain to some knowledge, by daily exercise and use of their weapons; and the terror of shot will be more familiar unto them. For it is not numbers that do prevail, but trained men, resolute minds, and good order. For, if a prince would only select and choose out such men to wear armour, and employ the rest, I mean the baser sort, to the spade and shovel, there is no doubt but he shall sooner attain unto victory by this means, than with rude multitudes, in whom there is nothing but confusion and disorder.

Again, the spade and the shovel are so necessary instruments of war, both to the invader and defender, as nothing is so impossible, that thereby may not be atchieved, and made easy: And, without the employment whereof, we cannot presume, at any time, of safety. I could discourse at large hereof, in shewing the use and benefit of them. But, because to every man of judgment and experience it is sufficiently known, I shall not need to speak much therein; but wish you to embrace them, it being to a defender so special and singular a commodity, in that he may better be furnished with infinite numbers of them.

And moreover, if you shall appoint them to weapons, who are apter to labour than to fight, you shall find double inconveniences thereby, in misplacing them contrary to their natural disposition and use.

And, touching my own opinion and judgment, I should more stand in fear of a few picked and choice soldiers, that were furnished with a sufficient number of pioneers, than with the hugeness of an army of unselect and disfurnished numbers. Now, to say somewhat by the way, touching your armed pikes, the only body, strength, and bulwark in the field: It is not a little to be lamented, to see no more store in this land. We have so wonderfully weakened ourselves, that it is high time to look to the restoring of them again. And touching the use of shot, as it is a singular weapon, being put into the hands of the skilful and exercised soldier, being the pillar and upholder of the pikes, and without which he is no perfect body: So no doubt, on the contrary part, committed to a coward's, or an unskilful man's handling, it is the priviest thief in the field. For he robbeth pay, consumeth victuals, and slayeth his own fellows, in discharging behind their backs. And one thing even as ill as this, he continually wasteth powder, the most precious jewel of a prince.

Wherefore, I would wish captains not only to reject such as are altogether unapt, but greatly to commend them that discharge but few shots, and bestow them well. For it is more worthy of praise to discharge fair and leasurely, than fast and unadvisedly: The one taking advantage by wariness and foresight, whereas the other loseth all with rashness and haste.

But to return to the pike again. Myself being in the Low Countries in the camp, when those great armies were last assembled, and perusing, in every several regiment, the sorting and division of weapons, as well as their order and discipline: There were two nations, the French being one, that had not, betwixt them both, an hundred pikes. Whereof I much marvelling, and desiring greatly to know the cause that had moved them to leave the pike, which, in my conceit I always judged the strength of the field; happening afterward into the company of certain French Captains, some of them ancient in years, and such as were of the religion, I demanded the reason that had moved them to give over that defensible weapon the pike, and betake them altogether to shot. Not for any disliking, or other cause, said they, but for that we have not such personable bodies, as you Englishmen have, to bear them; neither have we them at that commandment as you have, but are forced to hire other nations to supply our insufficiency, for, of ourselves, we cannot say we can make a compleat body. Moreover, they

affirmed, that, if in the time of Newhaven we had let them have six thousand of our armed pikes, they would have marched through all France; so highly esteemed they the pike, who nevertheless, in our judgment seem to have given over the same, or to make small account thereof.

Moreover, for the better and readier ordering and training of your men in every shire: Those, that are appointed to be captains, should have, under every of their several charges, only one sort of weapons, viz. one captain to have the charge of pikes, another of shot, &c. And no man's band to be less than two hundred men. By means whereof, your serjeant-major, or such to whom you shall commit the order of your footmen, may, from time to time, readily know the numbers of every sort of weapons, whereby he will at one instant range them into any order and form of battle you will have them. And every captain and his officers shall serve with their own men, which is a matter of great contentment to both captain and soldier. For otherwise, if he have charge of more sorts of weapons, then must he either disjoin himself from his officers in time of service, or else he must commit his men under another man's direction, which breedeth oftentimes great disliking and murmur.

Orders for the provision and guard of the Beacons.

FIRST, That the beacons be provided of good matter and stuff, as well for the sudden kindling of the fires, as also for the continuance thereof.

That the beacons and watch-places, appointed to give warning unto the country, of the landing or invasion of the enemy, be substantially guarded with a sufficient company; whereof, one principal person of good discretion to have the chief charge, at all times, of every beacon.

That the beacons that are next to the sea-side, and are appointed to give the first warning, may be very sufficiently guarded, as well with horsemen as footmen, whereof some discreet soldier, or man of judgment, to have the chief charge, as hath been said before, who must be very respective and careful, that he give not any alarm upon light matter or occasion: Nothing being more dangerous than false alarms to breed a contempt and security.

Your horsemen must be ready to give warning to the other beacons in the country, lest by weather they may be prevented, that they cannot kindle fire, or else the enemy may hinder them by sudden assault; and so either let the kindling of them, or extinguish the fire newly kindled, before the other beacons can take knowledge thereof. For it is always to be feared, that the enemy will seek, by all means and policy, not only to surprise the beacons, that are next the sea-side, and should give first intelligence unto the country; but also such as are appointed to guard them, if their watchfulness prevent them not.

Other necessary notes to be observed.

THAT there may be order taken to have a store of powder, match, bullets ready cast, moulds of divers bores, charges, bow-strings, shooting gloves, warlresses, and such other necessities fit to be used at that time: Whereof (I doubt me) whether the whole shire be able to furnish the tenth part, that would be required. Whereof it were good to be provided aforehand, and brought in carts, to those places of assembly; whereby men may be readily furnished for their money, and the service nothing hindered in time of need.

That it be looked unto, by such as have charge to take the view of men, and their weapons, that every shot be provided of a mould, a priming pin, a ferries, a flint, and match powder, which things are as needful to be seen into, as the piece itself, although few provide and make reckoning thereof.

That, in the said musters and assemblies, there be good numbers of labourers appointed, who may also be assigned to have a spade, a mattock, a shovel, an ax, or a bill. And these pioneers, to resort to the places of assembly, at every alarm; over whom, should be a skilful engineer appointed, to have the chief charge and government.

And, whereas you have great numbers of hacknies or hobblers, I could wish, that upon them you mount as many of the highest and nimblest shot as you can, which may be sent down to the sea-side upon every alarm, or to such streights and places of advantage, as to a discreet leader shall seem convenient. The which arguliteers shall stand you in as great stead, as horse of better account.

For, by the means of them, men will take great courage to offer a proud attempt upon the enemy, being assured of their succour, if any occasion or appearance of danger force them to retire.

It were considerable, that all the youth of the land were well prepared with bows and arrows. For in woody places, or behind banks, or in other places these might annoy the horse and men: Witness the brave battles atchieved in France, by bowmen; and these arms would supply many thousands, which are not able to get better.

A
WARNING FOR ENGLAND,

ESPECIALLY FOR LONDON;

IN THE

FAMOUS HISTORY OF THE FRANTICK ANABAPTISTS,

Their wild preachings and practices in Germany.

Printed in the Year 1642. Quarto, containing twenty-eight pages.

ABOUT the year of our Lord 1525, all Germany was put into an uproar and confusion, by the seditious preaching of some turbulent ministers. The ringleader among them was one Thomas Muncer, who pretending a wonderful and more than ordinary zeal, having with great passion preached against the popish errors, at length began to preach against Luther, terming him as too cold, and his sermons as not savouring enough of the spirit; with great earnestness he pressed the exercises of mortification, and exhorted to a more frequent and familiar conversation with God; he pretended to some divine revelations, that God by dreams and visions did reveal unto his saints his will. By these discourses, he won a great opinion and reputation with the people, who daily flocked after him and admired him as a man divinely inspired: At length he began more plainly to publish his design, and told his followers, that he had received a command from God to kill and root up all wicked princes and magistrates, and to chuse better in their places.

Frederick, Elector of Saxony, hearing of these his seditious sermons, banished him out of his country; from thence he went first to Norrenburg, then to Mulhuse; every where poisoning the people with his seditious doctrine; because the senators of Mulhuse, and the better sort, disliked him, he wrought so effectually with the base people, that, rising in a tumult, they turned out their chief magistrates, and created others. So that now Muncer was not only a preacher, but a senator; whatsoever he commanded, was done, his pleasure was a law, and his direction in all things, as he said, a divine revelation. He taught a community of all goods to be most agreeable to nature, and that all freemen ought to be equal in dignity and condition. By this means he gathered great companies of mean people, who, leaving their labours, thought fit and just to take part with others of better wealth and store.

In Swevia and Franconia, near forty thousand peasants took arms

upon this occasion; who robbed a great part of the nobility, and plundered many towns and castles, Muncer, being their chief captain. He had a companion, a bold fellow, one Phifer, who talked much of his dreams and nightly apparitions; especially of one dream, wherein, he said, he saw in a barn an infinite company of rats and mice, all which he had chased away and destroyed: This dream he expounded to be a commandment sent him from God, that by force and violence he should destroy all the nobility. And Muncer, to the same purpose, moved the boors throughout Franconia and Thuringia to undertake this holy war, as he called it, against their princes. Phifer, with some of his troops going out into the neighbour-country, wastes and destroys noblemen's houses, chaceth away the most, taketh some, and bringeth them captives. This good success gave great courage to the party. Muncer wins his forces with the rest of Phifers.

In the mean while, Albert Count of Mansfield, setting upon them with some troopers, kills about two hundred. The seditious, discouraged with this loss, retire a while and keep in. This gave leisure and time to the neighbouring princes, John Duke of Saxony and his Cousin George, Philip Landgrave of Hesse, and Henry Duke of Brunswick, to collect some forces against them, about one thousand five hundred horse and some companies of foot. The rebels sat down on the side of a mount where they had some advantage of the place, but they were not well armed, and most of them ignorant in war. The princes therefore out of pity advised them to lay down their arms, and offered them pardon, if they would deliver up the authors of the sedition. Muncer, finding himself in some danger, encourageth them with a long and earnest exhortation; pretends, 'That this great action was undertaken by command from heaven, that God would undoubtedly assist them against the tyrants; that he had promised in many places of scripture to assist the oppressed against their wicked governors; that those tyrants, so he called the princes, followed only their ease and pleasures; neglected justice; pillaged their subjects with intolerable exactions; had no care to reform the corruptions of the church; spent all their life in pride and luxury: That therefore, without doubt, the time was now come, when God would take vengeance upon those Canaanites, and restore to his own good people the liberties of their goods, their lives, and consciences: That, as God had assisted Gideon, and David, and the Israelites, and gave them victories by miracles, so they should now find his power and love no less in their deliverance; and, for a token of his especial favour, mark, said he, yonder rainbow in the clouds, which, being represented in our own colours, God hereby giveth us an evident testimony that he is present with us in this battle, and will root out our enemies.'

Some few of the more desperate were animated with this oration, and especially with the rainbow; but the most of them apprehended the instant danger, and the rather, because in their army all was carried tumultuously without any rule or order. Muncer, against the law of arms and of nations, had killed a noble young gentleman who was sent to parly with them. The princes being the more provoked with this cruelty prepared for the onset. Philip the young prince of Hesse spoke

to the soldiers to this purpose: 'That he could not excuse himself and some other princes from some errors, but this could not excuse the rebels for their sedition; that God every where expressly chargeth all people every where to honour and obey their magistrates: That of necessity people must contribute of their goods to the honour and support of their princes: That princes on the other side did protect them by their power and laws. That, whereas the rebels called for the liberty of their consciences, and of the gospel, though princes should deny it, yet that were no just cause of rebellion; that the gospel was propagated through the world, not by force and violence, but by patience and sufferance of the first Christians: That yet their clamours herein were causeless, and their pretences unjust, seeing the most princes of Germany had then given way to the reformation. That these rebels did but cover with the name of the gospel their own impious and bloody designs: That their true aim was, to take away all government, to bring in confusion into the state, atheism and barbarism into the church; that therefore their hypocrisy was so much the more damnable to pretend the name of God and of religion to their intended confusion; and more to this purpose.'

At the first onset the rebels were quickly and easily put into disorder, and above five-thousand slain upon the place, and three-hundred more taken in a town hard by; Muncer himself, hiding his head in a village, was apprehended, and brought to the Duke of Saxony and the Landgrave: Being asked by them why he had thus abused the miserable peasants, and raised these tumults; his answer was, he had done but his duty, and that such princes as hindered the reformation of the church ought to be so opposed. The Landgrave, on the contrary, proved unto him by testimony of scripture, that governors ought to be had in honour; that all sedition is forbidden by God, and that, by the laws of the gospel, no Christian may take arms against their lawful prince upon any pretext whatsoever. To this when he replied nothing, he was brought to the rack to know what his purposes were, and who were the principal contrivers of this conspiracy. His fellow Phifer was taken and beheaded in Mulhouse; Muncer himself being brought upon the stage was extremely confounded and dejected, and not able to give any tolerable account of his faith, yet in general terms confessed his fault and his error, and his head, being cut off, was carried upon a spear through the army.

This Muncer was the first author of the much famed sect of the Anabaptists, so called from their doctrine and practice of rebaptising; for they forbid children to be baptised: And, if they have been, rebaptise them: They carried at first a great shew of sanctity; they talked, that it was not lawful for Christians to contend in law upon any occasions; nor to bear magistracy, nor to swear, nor to have any thing proper; but that all things ought to be common amongst all men.

These were at first their discourses, but by degrees they fell to publish other more pernicious doctrines. When this sect began first to creep in Germany, Luther and all other learned divines mightily opposed them, and magistrates every where punished them, yet secretly they in-

creased and raised many dangerous tumults. But especially in Munster the prime city of Westphalia: Where they acted a mad and most memorable tragedy.

In that city one Bernard Rotman, a minister, by his pains and preaching, had there reformed the church, and cast out the popish bishop and his clergy. About the year of our Lord 1533, John of Leyden, a taylor by his trade, an Hollander, and an earnest anabaptist, came to live in the city of Munster. This fellow privately insinuated the doctrine of rebaptisation, much contemning the contrary opinion; Rotman in the beginning vehemently preached against him, and his phantastical opinions, as pernicious both to the state, and to religion. Yet Leyden prevailed much with the base people, and infected great numbers, who had their secret meetings in corners and conventces most usually in the night, admitting none but such as were addicted to their opinions: And within a while Rotman himself began to incline towards them, and to condemn the baptism of children as impious and heretical; insomuch that the number of anabaptists was daily increased: And the Landgrave of Hesse intreated by the senators of the city to send some preachers of learning to confute them, and contain the people in order and obedience.

Accordingly he sent unto them Fabritius, a messenger, and others, who were provoked by the anabaptists to a disputation which was admitted by them, and by the senators. But the sectaries, afterwards better considering their own ignorance and weakness, to which they were conscious, and trusting to their multitudes, refused to dispute, and took another course. One of them runs up and down the city as if possessed by the spirit, and cries, 'repent and be rebaptised, lest the wrath of God overwhelm you.' Divers others cried out in the same manner.

Some simple men obeyed for fear, being terrified with their clamours, and some of the richer sort, to save their fortunes; for the anabaptists began to rob all their adversaries, and gathered together into great troops; they possessed themselves of the arms and strongest parts of the city, and made proclamations, that all who were not rebaptised were to be accounted pagans and infidels, and to be killed. Rotman and Bernard Knipperdoling, his companion, send letters to all the neighbouring villages, inviting all of their faction forthwith to come to Munster, and promise liberal satisfaction for their estates and goods that they were to leave.

Hereupon multitudes of men and women, especially of the base beggarly sort, make haste to Munster. The citizens of the better sort, seeing the town filled with strangers, forthwith secretly convey away themselves and their families, and leave there the anabaptists, who, now perceiving their own strength, and the weakness of the other party, first chuse new senators, all of their own faction, then create consuls, and make Knipperdoling the chief. They quickly afterwards burn the suburbs, and spoil all churches; straightway they run, by troops, through all the streets, crying, repent; and soon after, get ye hence all ye wicked, if you mean to save your lives. They run armed up and down, and chace out of the town all that did not favour the sect, without respect of age or sex, so that many women with child miscarried by

their violence; then they seize upon the goods of all those that are cast out. The Bishop of Munster, whom they had forced out, was lord of the city, and, to recover his right, had now besieged it with strong forces; so that the miserable people, that were turned out by the anabaptists, were rifled, and many killed by the bishop's soldiers. The fear thereof constrained many honest men, which abhorred the anabaptists, to stay in the city against their will.

The chief prophet among them, as they called him, was John Matthew; he sends forth his proclamations through the city, commanding every man, upon pain of death, to bring forth their gold and silver, and all their goods, unto a publick place appointed for the purpose: The people, astonished with the severity of this edict, were fain to obey it; if any man detained aught of his own goods, they were discovered by certain women that pretended to be prophetesses. Soon after, the same prophet commands, that no man keep any books in his custody, but only the holy bible; that all other books must be brought forth and burned: for this, he said, he had direction from heaven; and accordingly all other books in great numbers were flung into the fire.

It happened about that time, that one Hubart Trutaling, a smith, a witty fellow, had jested somewhat sharply upon their prophets, whereupon they call the multitude, and command them to come armed; they arraign the poor smith, and condemn him to die for his sauciness; which proceedings struck great terror in the people. Matthew, the chief prophet, doth execution upon the wretch, first wounds him with a spear, then shoots him through with a pistol.

The same prophet, taking his long pike, running in great haste to the gates of the city, cries, that God the Father had sent him a commandment to raise the siege, and to beat away the enemy: when he came near the soldiers, he was by one of them dispatched, and run through. Though by this event he was proved to be a false prophet, yet his friends and fellows, the other prophets, did so excuse and palliate the business unto the vulgar, that they much lamented his death, and thought it a calamity to have lost so brave a man. His fellow, John of Leyden, desires the people to be comforted, for it was long before revealed unto him, that Matthew was to die in that manner, and that, after his death, himself was to marry his wife.

Within a while they run to the churches, and ring out at once all the bells; that done, Knipperdoling begins to prophesy, and he foretells, that some in high places must be thrown down, others of mean condition raised up to great authority. Then he commands all churches to be defaced, affirming that this commandment came from God; and accordingly the commandment was executed few days after. John of Leyden delivers the sword to Knipperdoling, and appoints him to be the publick executioner, for so God had commanded, that he who was, but now, the highest magistrate, should take upon him the meanest office, and be the hangman; he undertook the office with great thanks and good-will.

The bishop alone, at his own charge, had, for some months, continued the siege; afterwards divers of the neighbouring princes sent in monies and men to assist for him; he had made many assaults, think-

ing to enter the city by force, but being repulsed, seeing no hopes, but only to conquer them by famine, he resolved upon that course, and shut up all the passages.

In the mean while John of Leyden betakes him to his sleep, and continues in a dream three days together; being awaked, he speaks not a word, but calls for paper; in it he writes the names of twelve men, who were to be chief officers over God's Israel, and to govern all things, for such, he said, was the will of the heavenly father, when he had thus prepared the way to his kingdom. He propounds certain doctrines unto the ministers, and requires them to confute them by testimonies of scripture, if they were able; if not, he would relate them unto the people, and enact them for laws. The doctrines were these, that no man was bound to one only wife, and that every man may take as many as he pleaseth. When the preachers disliked the doctrines, he calls his twelve rulers, and a general assembly of the people. In the presence of all he casts his cloke upon the ground, and upon it the book of the New Testament; by these signs he swears, that the doctrine which he had published was revealed unto him from heaven, and therefore he gravely threatens the ministers, that God would be highly displeased with them, if they consented not to it. It was in vain for them to resist, and therefore they yielded, and, for three days together, discourse unto the people of the lawfulness of polygamy; the issue was, that Leyden first takes three wives, whereof one had been the wife of John Matthew, the great prophet; many other follow his example, so that at length he was thought most praise-worthy that had most wives.

Many citizens of good sense, and good protestants, were extremely displeased with these mad doings; arming as many as they could, they meet together in the Market-place, and lay hold upon the prophet Knipperdoling, and their teachers; which the base people hearing, they gather in multitudes, assault them with great fury, take away their captives, and kill to the number of fifty, with extreme cruelty; for, binding them to stakes and trees, they shot them to death, the great prophet standing by, and commending this execution, as a thing well pleasing to God; others also were killed in another manner.

After some weeks, there ariseth a new prophet, a goldsmith; he calls the multitude into the market-place, and declares, the will and commandment of the heavenly father to be, that John of Leyden must have the government of all the world; that, with mighty forces, he was to go out to destroy all kings and princes without difference, sparing only the poor people who love righteousness; that he was to possess the throne of his father David, until he should yield up the kingdom to his heavenly father; that all the wicked must be destroyed, to the end, that the godly alone may rule and reign in this world. When the goldsmith had said thus much, John of Leyden falls down upon his knees, and, holding up his hands to heaven, Men and brethren, said he, this very thing was revealed to me many days go, though I did not publish it; but now it hath pleased the father to make it known unto you by this prophet.

John, being thus advanced to be a King, instantly puts his twelve

men out of office, and provides himself, after the fashion of Kings, nobles to wait upon him, two crowns, a sword, and scepter of state, and other such like ensigns of Majesty, all of the purest gold. Then he appoints certain days, when he would publicly receive all complaints, and hear all petitions. So often as he went abroad, he was attended with his great officers; immediately after him followed two pages on horseback, one carrying a crown and the bible, the other a naked sword; his chief wife was waited on with the same pomp. In the market-place his chair of state was placed on high, covered with cloth of gold. The suits and complaints that were brought unto him, most of them were about marriages and divorces, which were much in use, so as some couples, that had many years lived together, were then parted.

Now, whilst the people were thus standing thick together, hearkening unto their new prince, Knipperdoling suddenly leaps up, and creeps with his hands and feet upon the heads of the crowded multitude, and breathing into their mouths, The Father, saith he, sanctifies thee, receive the holy spirit: Another day dancing before the King, Thus, saith he, I was wont to do with my sweetheart, but now the Father commands me to dance before the King; but, when he would not give over, the King, being offended, went his way; thereupon he sits down in the chair of state, and behaved himself as if he were King, till the King returning turned him out, and sent him to prison for three days.

Whilst the city was besieged, they published a book called the *Restitution*; in this book, among other things, they affirmed, 'that Christ shall have a kingdom here upon earth before the day of judgment, wherein only the godly and the elect shall reign, the wicked being every where destroyed; that it is lawful for the people to cast off their governors; and that, although the apostles had no secular jurisdiction, yet the ministers of their church had power from God to use the civil sword, and, by force, to set up a new commonwealth. Farther, that no man who is not a good Christian is to be tolerated in the church, and that no man can be saved that challengeth any propriety in his goods; that Luther and the Pope were two false prophets, and, of the two, Luther the worse; and that the marriages of profane men ought to be accounted no better than whoredom and adultery.' These dreams and dotages were confuted by many learned men, Melanchthon, Justus Menius, and Urbanus Regius, whose writings are extant.

Some weeks after this, the new prophet, of whom we spoke, summons all by sound of trumpet, to repair, with their arms, to the chief churchyard; for the enemy, as he said, was to be repulsed from the city: Thither when they came, they found a supper ready; they sat down at the first near four-thousand, and after them one-thousand more that had kept the watch; the King and Queen, with their servants, waited; when supper was near done, the King reached bread to every one, with these words, Take, eat, declare the death of the Lord: The Queen also reacheth the cup, saying, Drink, and declare the death of the Lord.

This done, the prophet, standing aloft, demandeth of them, if they would obey the word? They affirmed, they would. Then, saith he,

the Father hath commanded, that we send forth twenty-eight teachers into the four quarters of the world, to publish the holy doctrine that is professed in this city. Then he names all the apostles, and shews which way they are to go; six are sent to Oseburgh, so many to Warendorf, eight to Susat, eight more to Cosfield. With these apostles, and the other servants, the King and Queen sit down to supper: In suppertime, the King, suddenly arising, saith, he must go about a business which the Father had commanded. A certain soldier by chance had been taken prisoner, him the King said to be another Judas the traitor, and, with his own hand, striketh off his head; he after returns to supper, and reports merrily what he had done. Supper being ended, the twenty-eight aforesaid are sent abroad their several ways, each one carrying with him a small piece of gold, which they were to leave at such places, as did not admit them, and their wholesome doctrine, as a witness against them at the day of judgment. These apostles in the towns, as they passed, cried out aloud, that men should repent, otherwise they should shortly perish; that they were sent by the Father to offer them peace, which, if they refused, that gold should testify against them their ingratitude; that the time was come which all the prophets had foretold, wherein God would propagate holiness throughout all the world; and when their King had done his office, and brought this to pass, then was Christ to deliver up his kingdom to God his father.

Being apprehended and examined, first in a friendly manner, then by the rack, concerning their life and doctrine, their answer was, that themselves only were of the true religion; that, from the apostles time to this age, the word of God had never been truly preached, nor righteousness practised; that there are four prophets, and of them two just, David and John of Leyden; and two unjust, the Pope and Luther. Being interrogated, why they had turned so many innocent people out of their city, and out of their estates, and by what place of scripture they could prove this to be justice? They answered, that the time was come which Christ had promised, that the meek should possess the earth. They confessed farther, that most of their company had above five wives; that they expected some help from Holland and Friesland; when they were come, that their King was to go out with all his army to subdue the world, and to destroy all other princes for want of justice. Notwithstanding their torments, when they obstinately persisted, and would not acknowledge any magistrate besides their own King, they were beheaded.

The city was now in extreme distress, and therefore the citizens secretly conspired to take the new King, and deliver him prisoner to the bishop. He being aware of it, for his own security, chuseth twelve trusty men which he called captains, appointing to each other soldiers to assist him, to keep the people in awe; to them he promiseth large rewards, whole provinces, towns, and forts; then calls the multitude, and promiseth them, that, before Easter then following, without fail, they should be freed from the siege and famine.

About the month of December, divers princes of the empire, in a meeting at Confluence, after deliberation, agreed to assist the bishop with three-hundred horse, and three-thousand foot, for six months,

under the conduct of Utrichsh, Earl of Oberstein. They agreed also to solicit King Ferdinand, the Emperor then in Spain, and all the other princes of Germany to join with them.

They sent also their letters to Munster, and gravely advised the besieged to desist from their ungodly and rebellious courses; professing, if they yielded not, that the bishop should have the forces of the empire to do justice upon them. This was about the end of December. In the beginning of January, they sent an answer in many words, but little to the purpose, yet so as they commended all their doings. To that charge laid against them of creating a new King, they said nothing in that reply. But, in other private letters to the Landgrave, they endeavoured to excuse it, speaking much of the general destruction of the wicked, and of the glorious reign of the godly in this life. Withal, they sent to him the book formerly mentioned, of the Restitution, and counsel him to repent by times, and not combine with other princes against them, being the holy saints of God. The Landgrave, having read their letter and their book, returns them an answer; and, because they pretended their new King to be made by especial direction from God, he desires to know, by what authority of scriptures they assumed that power, and by what miracles they confirmed it? and, whereas they called for a fair trial of their cause, the Landgrave replied, it was now too late; since they had already seized on the civil power, and been authors of so much sedition and calamity, it did appear to all the world, that they intended nothing else, but the ruin of all order and government both in church and state; that he had sent unto them many learned and godly ministers to instruct them in sound religion, whom they had scorned and rejected; that their doctrines and practices of rebelling against their magistrates, of robbing men of their goods, of polygamy, of setting up a King of their own, of a community of all things amongst Christians, and the like, are unchristian and abominable, contrary to all laws of God and men.

Upon this reply from the Landgrave, they write back again, and send him another book in the Dutch tongue, intituled, Of the Mysteries of Scripture. In their letters, they defend all their tenents; and in their book divide the ages of the world, into three parts: The first from Adam, to Noah, which perished by water: The second, this wherein we live, which is to perish by fire: The last shall be the new world, wherein righteousness shall reign. That, before this present world be purged with fire, Antichrist must be revealed, and his power abolished. That then the throne of David shall be erected, and Christ obtain a glorious kingdom upon earth, in his saints, as the prophets have foretold. That this age is like that of Esau, the wicked prospering, and the godly being afflicted; but that their miseries were now near an end, and the time of their freedom and restitution approached, when the wicked should be repaid fourfold, for all their persecutions, as was prophesied by John, in his Revelation.

That, immediately after the restitution, the new and golden age should follow, wherein the righteous saints should reign alone, all the wicked being utterly destroyed. These dreams were confuted by some learned divines appointed by the Landgrave. About February, the

besieged began to be in great distress, for want of victuals; when many of the poor people perished by famine, one of the queens chanced to say privately to another, that she did not think it pleasing to God, that the miserable wretches should perish in that manner. The King, who had his own store-houses well furnished, not only for necessity, but even for luxury and abundance, hearing of her speeches, brings her into the open market-place, with her fellows, and, commanding her to kneel down, strikes off her head, and, when she was dead, brands her with lightness, and playing the whore. This done, the other queens applaud his doings, and give thanks to the heavenly Father. The King begins to dance, and invites the people, who fed upon nothing but bread and salt, to dancing and merriment.

When Easter was come, at which time the King had, with great confidence, assured the people, they should be freed, but no shew of freedom appeared; to find an excuse, he feigns himself sick, and keeps in for six days: Then comes out into the assembly, tells them, he had, in a vision, been set upon a blind ass; and that the heavenly Father had laid upon him the sins of all the multitude, and therefore, now, they were almost pure and clean purged from all iniquities. That this was the freedom he had promised unto them, and, with this, they ought to be contented.

Luther, hearing of the wild pranks of these mad men of Munster, about this time, published a discourse, concerning the Anabaptists, in the vulgar tongue; he said, it was very plain to all the world, that Munster was become the harbour and habitation of devils; for so the justice of God had punished the sins of Germany, and especially their loose and prophane life, that professed the gospel. That yet, in this very tragedy of Munster, the marvellous mercy of God evidently appeared, in that he had not permitted that old subtle serpent, the witty and cunning Satan, to contrive and govern that business; but only had given way to some silly, dull, and blockish devil, who seemed not well skilled in villainy, to be their guide and conductor. That the grossness and stupidity of all their doctrines and doings made faith of the dullness of that lewd spirit, which moved them. That their polygamies, their seditions, and rebellions might trouble the state, but could not hinder or do prejudice to the church, or gospel of Christ, to which they are so palpably contrary.

That no man of sense, or in his right wits, could be perverted by such means, or induced to favour such lewd people, or their practices. He further added a particular confutation of their principal errors.

In the month of April, King Ferdinand, at the request of the princes, held a diet of the empire at Worms, where, after some debate, it was agreed, that twenty-thousand crowns, by the month, should be levied for the taking in of the city, and the chastisement of the rebels; and withal, that, when it was taken, the innocent poor people, who had been abused, should be used with mercy, and restitution made to such honest men, as had been robbed of their estates, in this tumult. Hereupon, the bishop delivers over the army unto the General Oberstein.

In the city, the famine still increased, and the miserable perished in

great numbers; some few escaped out, and, falling into the hands of the besiegers, were by them, in mere pity, spared, being nothing but skin and bones. The General summons the city to yield, and promises pardon to all the rest, if they would deliver up to justice the King, with some few of his companions. The citizens had a good desire to do it, but were over-awed by the care and watchfulness of the King, who resolved not to give up the place, so long as himself, and his family, had any victuals. The captains, therefore, commanded them to keep in their famished, and to expect no more favour. This was in the beginning of June; shortly after, they answer, that they are not suffered to have a fair hearing of their cause: That they are unjustly persecuted: That they are ready to revoke their errors, if they be convinced of them. Then they expound a part of Daniel's prophecy of the fourth beast, the most cruel of all: And, in conclusion, profess they will persevere in their courses. All this, by direction of the King.

The besieged city being now reduced to the last extremity, it chanced that two men made an escape out, which were brought to the General, and the bishop; they gave direction how the town might be taken. Upon another summons, they still persist in their resolution. Within two days, an assault was made in the night, and, by the help of the guides, one gate forced, at which five-hundred soldiers, with their captains and colours, entered. By them, another passage was soon opened; the whole army enters, and, finding some resistance, made a great slaughter. Rotman, desperately rushing in among the soldiers, was slain. The King, Knipperdoling, and one Cretchting, his chief servants, were taken alive; the rest, upon their submission, spared. Those three captives were sent up and down to the princes, as spectacles of scorn and wonder: Many divines confer with them, upon their absurd opinions, and convincing the King, with evidence of scripture and reason, though they could not win him to recantation, yet they forced him to yield many things; which, some imagined, he did only to save his life.

For, when they came to him again, he promised, if he might obtain his pardon, to reduce all the Anabaptists in Holland, Brabant, England, and Friesland, where they were in great multitudes, under the obedience of their magistrates.

Being brought before the bishop, the bishop demanded of him, by what authority, he had taken upon him so much power and liberty over his city and people of Munster? The King demands again of him, who gave him the command and government of that city? When the bishop answered, that his power was lawfully conferred on him, by the consent of the church and people: The King replied, that his right and calling thither was from heaven.

In February after, 1536, they were brought back to Munster, and committed to several prisons. There, they were exhorted by many pious men, to confess their errors, and to ask pardon of God, and their magistrate. The King relented, the other two continued in their stubbornness; being all brought to execution, the King was fastened to a post; two executioners stood on either side, with hot pincers. At the three first pinches, he kept silence; after, he cried out unto God for

mercy: Being in this manner tortured, above the space of an hour, he was, at length, run through with a sword; his fellows died in the same fashion. Their carcasses were inclosed in three several cages of iron, and hanged up, upon the highest tower of the city, the King in the middle, and higher than the rest.

So, let all the factious and seditious enemies of the church and state perish; but, upon the head of King Charles, let the Crown flourish, Amen.

VOX POPULI :

OR THE

PEOPLE'S HUMBLE DISCOVERY OF THEIR OWN LOYALTY,

And his Majesty's ungrounded Jealousy.

London, printed Anno 1642. Quarto, containing eight pages.

ALTHOUGH the charms of rhetorick have stained your Majesty's declarations, answers, proclamations, speeches, and messages, with all the gall and opposition, that possibly could be infused, to exasperate us into the nature of bad subjects; yet are we resolved to depart from nothing, that may oblige, and court your Majesty to continue our gracious King.

Your evil counsellors have tempted your Majesty, in all they could, to divide your individual person from your regal authority; and we have vowed, in the presence of God, with all the power and industry we have, to keep them inseparable; which being inconsistent with the malignity of that council, which daily joins itself closer to your Majesty, and divides us, we are necessitated to employ that power, for the separating that malignity from your Majesty, which else will be the ruin of us all, both King and people.

That there is malignity, the strong siding for the Lord Strafford, and for the votes of popish lords in parliament; the difficult yielding to such good acts, as began to establish our peace, and adventuring to question the same, at your Majesty's return from the north, by a query of the freedom of this parliament; the many attempts for dissolving us; the late and slow disarming of the papists; the enticing many worthy men of quality to petition against established votes, to the great disturbance and dishonour of both the houses, and then incensing them to

sacrifice the peace and liberty (if not the lives) of themselves, and the whole kingdom, to their inconsiderate revenge; and, lastly, the uniting all those into one army, by an illegal commission of array, do abundantly testify to all men's consciences (but such whom passion, and not malice, hath carried from us, we hope wisdom and religion will restore unto us). Besides, what malignity hath been wanting in shameful reproaches, provoking scoffs, false constructions, prejudicate censures, scandalous libels, treacherous plots, both at home and abroad; in slugging all proceedings, that tend to the safety of England or Ireland; in making cheap the repute of parliaments; and, lastly, both in the invitation and consent of deserting the houses, to attend and countenance your Majesty's strange distance from your parliament, and taking up of arms against it?

We would not accuse your Majesty, our hearts abhor it; nor will our laws suffer it, unless they speak and proceed to extremities, although your Majesty endeavour much to be thought the sole agent: But, as our laws instruct us, we accuse such counsellors, and instruments of regal commands, without which the regal office cannot stand; though we do not instance in all the particular authors, the causes of all things being found but with difficulty; for such, as dare do ill, will not want so much self-love, as to conceal it, having the lives, and livelihood, of them and theirs at stake, to bribe their secrecy, until such time as they grow bold in wickedness, and discover themselves, or he, that seeth in secret, brings them forth to be rewarded openly.

And in this loyal care of your sacred person, and tender respect of your princely honour, finding that, besides the daily discourse of successive dangers, which seemed to be countenanced by your Majesty, and of unsupportable grievances past, and present, both in church and state, with the slow and difficult reparations of either, the people had also strengthened a jealousy, from the intercourse of letters between the pope and your Majesty, then prince, in Spain; from your preferring the embraces of a catholick, before a protestant, to be the consort of your royal bed and bosom; from the increase of papists, priests, jesuits, and a papistical clergy, and ceremonies throughout the land, and the general decrease, and several persecutions of protestants, and faithful preachers; from the common boast, even of papists themselves, that you were of their religion, and that all your Majesty's most secret counsels were first known to them; from the sharp and eager proceedings against Scottish protestants, and slow proceedings against Irish papists and rebels; and, lastly, from the earnest reprieve of priests or jesuits at first, and afterwards of six priests and jesuits; and high accusation desperately prosecuted against six members of our houses of parliament; that your Majesty had certainly given up your faith to the see of Rome. So that, being also inflamed by the rebellious and prodigious massacres of Ireland, there remaining no oaths, nor execrations, sufficient to satisfy jealous people from princes, that once give up their belief to that see, which allows no oaths, nor faith, to be kept to such, whom they shall pronounce hereticks, as they do us, and imposeth a conscientious obedience, secrecy, and assistance to all their dismal

stratagems, we resolved, without publishing the disease, as a sovereign remedy, to settle the militia, and thereto counselled your Majesty.

But what is counsel, if not followed? And what are your Majesty's acts without counsel? Surely, if your Majesty's acts out of parliament are guided, and are not authentick, but by advice of your Majesty's attorney, judges, or privy counsellors, and they have power to declare so, shall the great council of parliament go less, that gives to all them being, and includes them? Or shall the orders of any of their courts be legal, and shall not those of the parliament be much more?

In this advice, therefore, and resolution of the militia, which your Majesty used, when there was no need, we yet most humbly and earnestly, in this extreme need and necessity of the subject, persist, until your Majesty remove the just occasions of fears, and accord to a sufficient cure of jealousies, by putting the people's safety into the people's own hands; whose jealousies are no whit abated by your Majesty's absence from parliament, and raising of contrary forces, and sending of several menaces, and returning to your old counsels; and the papists chearful interesting themselves in, and rejoicing at all your proceedings, they all appearing like so many several omens of the people's return to their old ceremonies, and to their old grievances, or worse; nor can we suffer those, who, by the counsel of the nation, have done faithful service to the nation, to perish for their faithful service.

The acts of Sir John Hotham, and the rest employed for the militia and the navy, had general commands and instructions to authorise them, and have had particular approbations to confirm them; they must not suffer, and we live, nor shall so great a sin make our nation odious to God and man, if we can help it. It is not the allegation of a minor part of parliament can abuse the wiser and more religious sort of your subjects, since all men know, that each man's vote is of equal power and freedom in parliament, and the voices of a few cannot out-echo a great many; whatsoever, therefore, is there concluded, cannot be but by plurality of voices, which truly makes the parliament, and the dissenting party makes up the faction, if they persist; or, if it should so fall out, that the major part (through neglect, or confidence in them remaining) absent themselves, then are their votes no less included in the persons remaining, than the votes of the whole kingdom in the fullness of parliament: If any be deterred from this freedom, it argues guilt, or cowardice, either of which should pronounce such a one unworthy a trust of so great importance, none being called to the bar, but such as speak directly opposite to the published, or concluded orders of the house, or wilfully to move sedition, by distracting the sense of the house, to the great hinderance, and dangerous delay of more necessary affairs; or else the consciences of men (convinced with their reasons and propositions) would soon engage the major part in their behalf, and not against them: Which thing likewise may be said of those multitudes coming with congratulations to confirm such, as freely discharge their duties; it being the duty of all to speak the sense of the major part of the people, and such confirmations are but the tokens of it; and, if this were not so, we run the greater hazard in your Majesty's displeasure, than the dissenting party in the dissenting of their equals.

We do avow all our proceedings to be, by the law of God, the integrity of our own consciences, and the law of the land; the interpretation whereof, whether it be fitting to be delivered up unto your majesty's arbitrament, and such as your majesty will advance thereunto, or to remain in parliament, (wherein the liberty and votes of subjects are preserved) your majesty may judge, or which of these your people will consent to.

As for arbitrary power (which only is incident to kings and princes, who, setting up their will for law, forsake the benefit of counsel) it cannot possibly, in any kind, be a just aspersion on a parliament, which is itself a council, the greatest council, and the very proper foundation of all laws of the kingdom.

We do confess, in this your majesty's absence and dissent, we find a want of that harmony, which should make all our orders as well pleasant and delightful, as good and profitable; and we grieve no less for your majesty, who, in this remoteness, divest your royal person of all that glory and authority, which should accompany your royal actions.

What should your majesty pretend any fear, when your undaunted courage left such a testimony to the contrary, in your passing with so small attendance through the city, and dined there, even then, when the news of Ireland had gauged the memory afresh of former plots, and the zeal of people struck into flame for the dangers of parliament, and were imbittered with the remembrance of hardly-escaped burthens of monopolies and ship-mones, Court of Honour, Star-chamber, High-commission, and the Canons? Or what could less partake of fear, than such a desperate assault of the privileges of parliament, in your own most royal person, with such an uncouth sort of attendants, the very day before?

And, as there was no sign of fear in your majesty, so was there no cause of fear from us, or from any your majesty's subjects, to whom, had we entertained the least disaffection, or disloyalty) there wanted not opportunity, in any of those times, to have endeavoured our own ends; but so far were we from any such attempt, as the malignant persons do falsely belch upon us, that we not only calmed the minds of people, but brought them to undergo those charges towards the English and Scottish armies, which those malignant persons had brought upon your majesty. Having therefore these great testimonies of love and loyalty, What can your majesty fear or suspect? Unless you could yet retain a resolution to consent, or be an actor in some more horrid design, that could provoke your people beyond all what is past, to forget their resolutions of affection and allegiance to your majesty; but sure your royal presence will discuss all fears and jealousies, which your continued absence cannot but foment.

We all have sworn allegiance to your sacred person, as king; we did not the same, when you were prince, nor is it longer of force unto your royal father, that then was king; when your majesty recedes from your kingly office, you are so far absent from the object of our allegiance; there is no difference of benefit to him that hath eyes, and to him that hath none, if light be wanting. All our oaths depend upon the oath your majesty hath taken: O then return unto your parliament, and so unto

your people; return unto your parliament, and so unto your lawful power; return unto your parliament, and so unto your state and glory; where, when your royal assent hath confirmed those necessary privileges, which may keep whole the consciences and estates of your most loyal subjects, all this our body falls into atoms, and your majesty alone remains in glory, to be beheld the preserver of those privileges, which all our long and faithful endeavours have consulted with your majesty.

A TRUE COPY

OF THE

PETITION OF THE GENTLEWOMEN,

AND

TRADESMEN'S WIVES,

IN AND ABOUT THE CITY OF LONDON,

Delivered to the honourable the knights, citizens, and burgesses of the house of commons, assembled in parliament, on February the fourth, 1641; together with their several reasons, why their sex ought thus to petition, as well as the men; and the manner how both their petitions and reasons were delivered: Likewise the answer, which the honourable assembly sent to them, by Mr. Pym, as they stood at the house-door.

London, printed for J. Wright, 1642. Quarto, containing eight pages.

To the honourable knights, citizens, and burgesses of the house of commons, assembled in parliament.

The humble petition of the gentlewomen, tradesmen's wives, and many others of the female sex, all inhabitants of the city of London, and the suburbs thereof.

With lowest submission shewing,

THAT we also, with all thankful humility, acknowledging the unwearied pains, care, and great charge, besides hazard of health and life, which you, the noble worthies of this honourable and renowned assembly have undergone, for the safety both of church and commonwealth, for a long time already past; for which not only we your humble petitioners, and all well affected in this kingdom, but also all other good christians are bound now and at all times to acknowledge; yet,

notwithstanding that many worthy deeds have been done by you, great danger and fear do still attend us, and will, as long as popish lords and superstitious bishops are suffered to have their voice in the house of peers, and that accursed and abominable idol of the mass suffered in the kingdom, and that arch-enemy of our prosperity and reformation lieth in the tower, yet not receiving his deserved punishment.

All these, under correction, give us a great cause to suspect, that God is angry with us, and to be the chief causes, why your pious endeavours for a further reformation proceed not with that success, as you desire, and is most earnestly prayed for, of all that wish well to true religion, and the flourishing estate, both of king and kingdom; the insolencies of the papists and their abettors raiseth a just fear and suspicion of sowing sedition, and breaking out into bloody persecution in this kingdom, as they have done in Ireland, the thoughts of which sad and barbarous events make our tender hearts to melt within us, forcing us humbly to petition to this honourable assembly, to make safe provision, for yourselves and us, before it be too late.

And whereas we, whose hearts have joined cheerfully with all those petitions, which have been exhibited unto you, in the behalf of the purity of religion, and the liberty of our husbands, persons, and estates, recounting ourselves to have an interest in the common privileges with them, do with the same confidence assure ourselves to find the same gracious acceptance with you, for easing of those grievances, which, in regard of our frail condition, do more nearly concern us, and do deeply terrify our souls; our domestical dangers, with which this kingdom is so much distracted, especially growing on us, from those treacherous and wicked attempts, already are such, as we find ourselves to have as deep a share, as any others.

We cannot but tremble at the very thoughts of the horrid and hideous facts, which modesty forbids us now to name, occasioned by the bloody wars in Germany; his majesty's late northern army, how often did it affright our hearts, whilst their violence began to break out so furiously, upon the persons of those, whose husbands or parents were not able to rescue? We wish we had no cause to speak of those insolencies, and savage usage and unheard of rapes, exercised upon our sex in Ireland; and have we not just cause to fear, they will prove the fore-runners of our ruin, except Almighty God, by the wisdom and care of this parliament, be pleased to succour us? Our husbands and children, which are as dear and tender unto us, as the lives and blood of our hearts, to see them murdered and mangled, and cut in pieces before our eyes; to see our children dashed against the stones, and the mother's milk mingled with the infants blood, running down the streets; to see our houses, on flaming fire, over our heads: Oh how dreadful would this be! We thought it misery enough, though nothing to that we have just cause to fear, but few years since, for some of our sex, by unjust divisions from their bosom comforts, to be rendered in a manner widows, and the children, fatherless; husbands were imprisoned from the society of their wives, even against the laws of God and nature, and little infants suffered in their fathers banishments: Thousands of our dearest friends have been compelled to fly from episcopal persecutions, into desert places, amongst wild beasts, there finding more fa-

your than in their native soil ; and in the midst of all their sorrows such hath the pity of the prelates been, that our cries could never enter into their ears or hearts, nor yet, through multitudes of obstructions, could never have access, or come nigh to those royal mercies of our most gracious sovereign, which we confidently hope would have relieved us ; but, after all these pressures ended, we humbly signify, that our present fears are, that unless the blood-thirsty faction of the papists and prelates be hindered in their designs, ourselves here in England, as well as they in Ireland, shall be exposed to that misery, which is more intolerable than that which is already past, as namely, to the rage, not of men alone, but of devils incarnate, as we may so say, besides the thralldom of our souls and consciences, in matters concerning God, which of all things are most dear unto us.

Now, the remembrance of all these fearful accidents afore-mentioned do strongly move us, from the example of the woman of Tekoa, to fall submissively, at the feet of his Majesty, our dread sovereign, and cry, Help O King, help, O ye, the noble worthies, now sitting in parliament : And we humbly beseech you, that you will be a means to his majesty, and the house of peers, that they will be pleased to take our heart-breaking grievances into timely consideration, and add strength and encouragement to your noble endeavours ; and, further, that you would move his majesty, with our humble requests, that he would be graciously pleased, according to the example of the good King Asa, to purge both the court and kingdom of that great idolatrous service of the mass, which is tolerated in the Queen's court ; this sin, as we conceive, is able to draw down a greater curse upon the whole kingdom, than all your noble and pious endeavours can prevent, which was the cause, that the good and pious King Asa would not suffer idolatry in his own mother ; whose example, if it shall please his majesty's gracious goodness to follow, in putting down popery and idolatry, both in great and small, in court and in the kingdom throughout, to subdue the papists, and their abettors, and by taking away the power of the prelates, whose government, by long and woeful experience, we have found to be against the liberty of our conscience, and the freedom of the gospel, and the sincere profession and practice thereof, then shall our fears be removed, and we may expect, that God will pour down his blessings, in abundance, both upon his Majesty, and upon this honourable assembly, and upon the whole land.

For which your new petitioners

Shall pray affectionately, &c.

The Reasons follow :

IT may be thought strange, and unbeseeming our sex, to shew ourselves, by way of petition, to this honourable assembly ; but the matter being rightly considered, of the right and interest we have, in the common and publick cause of the church, it will, as we conceive, under correction, be found a duty commanded and required.

First, Because Christ hath purchased us, at as dear a rate, as he hath done men; and therefore requireth the like obedience for the same mercy, as of men.

Secondly, Because in the free enjoying of Christ, in his own laws, and a flourishing estate of the church and commonwealth, consisteth the happiness of women, as well as men.

Thirdly, Because women are sharers in the common calamities, that accompany both church and commonwealth, when oppression is exercised, over the church or kingdom, wherein they live, and an unlimited power hath been given to the prelates, to exercise authority over the consciences of women, as well as men; witness Newgate, Smithfield, and other places of persecution, wherein women, as well as men, have felt the smart of their fury.

Neither are we left without example in scripture, for when the state of the church, in the time of King Ahasuerus, was, by the bloody enemies thereof, sought to be utterly destroyed; we find that Esther the Queen and her maids fasted and prayed, and that Esther petitioned to the king, in the behalf of the church; and though she enterprised this duty, with the hazard of her own life, it being contrary to the law, to appear before the king, before she were sent for; yet her love to the church carried her through all difficulties, to the performance of that duty.

On which grounds, we are emboldened to present our humble petition unto this honourable assembly, not regarding the reproaches, which may, and are by many cast upon us, who do, well weighing the premisses, scoff and deride our good intent. We do it, not out of any self-conceit, or pride of heart, as seeking to equal ourselves with men, either in authority or wisdom; but according to our places, to discharge that duty we owe to God, and the cause of the church, as far as lieth in us, following herein the example of the men, which have gone in this duty, before us.

A relation of the manner how it was delivered, with their answer, sent by Mr. Pym.

THIS petition, with their reasons, was delivered the fourth of February, 1641, by Mrs. Anne Stagg, a gentlewoman, and brewer's wife, and many others with her, of like rank and quality; which when they had delivered, after some time spent, in reading of it, the honourable assembly sent them an answer by Mr. Pym, which was performed in this manner.

Mr. Pym came to the common's-door, and called for the women, and spoke unto them, in these words: Good women, your petition and the reasons have been read in the house, and is thankfully accepted of, and is come in a seasonable time.

You shall, God willing, receive from us all the satisfaction, which we can possibly give to your just and lawful desires. We intreat you to repair to your houses, and turn your petition, which you have deli-

vered here, into prayers at home for us; for we have been, are, and shall be, to our utmost power, ready to relieve you, your husbands and children, and to perform the trust committed unto us, towards God, our king, and country, as becometh faithful christians and loyal subjects.

THE

VINDICATION OF THE PARLIAMENT,

AND THEIR PROCEEDINGS :

Or, their Military design proved loyal and legal.

A T R E A T I S E

Wherein these things are ingeniously and sincerely handled; to wit,

1. That the militia, as settled by the parliament, is lawful.
2. That it is lawful for us to obey it, so settled by them.
3. That the parliament is not by us to be deserted.
4. That, in aiding the parliament, the king is not opposed.
5. That the parliament, as the case stands, may not confide in the king.
6. That this necessary defensive war of theirs is indubitably justifiable.

Pulchrum pro Patria mori.

London, printed in the year, 1642. Quarto, containing thirty-four pages.

THE main thing now looked upon, and pried into by all eyes, is the nature of this present martial and military design, undertaken by the parliament. Now, although much hath been written by many upon this subject, yet divers well-disposed and well-affected persons are very unsettled, and unresolved what to think thereof; and the reasons hereof I conceive to be these, to wit:

1. That compendious kind of writing, which some use, in laying down only the particular head, by way of assertion, without either amplification, application, or proof; whence he, who is not informed, or thoroughly insighted into the truth, and nature of that which is affirmed, is ready to conclude it a fallacy, *Petitio quæsiti, et dare, not believe it upon the author's bare word.*

2. That abstruse, sublime, and high stile, which others use in their writings, thinking all apprehensions as quick, and judgments as profound, and understanding as clear as their own; and thus, not stooping to the capacity of vulgar readers, leave them as perplexed, and as much unsatisfied as they found them.

3. That confused kind of writing which some have; for, as method doth much help both the memory and understanding, so immethodical discourses do confound both understanding and judgment.

4. That slight and superficial kind of writing which others have, who, never searching themselves into the depth, life, and bottom of the point in hand, leave their reader just as wise as they found him.

5. That timorous half-handling of the case in controversy, which some are guilty of; for some have taken the point in hand, but fearing, *Veritas odium parit*, that truth will come home with a scratched face; dare not say what they can, may, should, or ought of the point, for the full satisfaction of their reader, leaving him, by this means, altogether without light in the most material things which he undertakes to instruct him in,

And therefore, because I will never refuse to sacrifice my life, much less spare any pains for the welfare, safety, and preservation of my country, the preventing of these civil wars threatened, the composing of our present distractions, and the satisfaction of tender consciences, to the utmost of my ability; I have, with what brevity, sincerity, plainness, and clearness, possibly I could, declared unto all, who desire to be satisfied what they may conceive and imagine of the true nature of the present design of the state and condition wherein we are, and what seems to be intended and aimed at by both sides.

I will not trouble myself to search records, nor presume to expound and interpret laws, being no lawyer, but only shew the lawfulness of this design, as far as the law of nature, the light of human reason, and experience, and my small knowledge in religion, will dictate unto me.

Against the parliament two things are excepted; viz. their act, and the effect of that act; or, their action and intention.

1. Their action is the putting of the kingdom into a posture of defence, by settling of the militia without the assent of the king.

2. Their intention herein is supposed, or surmised, to be the strengthening of themselves against the king, and the raising of forces against his power. Now of both these severally.

Concerning the militia, two queries are ordinarily made; to wit,

1. Whether it be lawful for the parliament to settle it without the royal assent?

2. Whether it be lawful for us to obey it so settled by them?

First, It may be demanded, Whether was it lawful for the parliament to settle the militia (which is made the cause of all our present distractions and dangers) or not, without the king's royal assent?

First, They did it not, without asking his permission and leave; for, considering the necessity of putting the kingdom into a posture of defence, both in regard of foreign and domestick forces and foes, they addressed themselves to his majesty, desiring him so to order and dispose of the militia of the kingdom, as it was agreed upon by the wisdom of his great and grand council; whose counsel, above all others, kings, in parliament-time, have, and ought to embrace and follow; and, therefore, we may imagine that to be lawful, which our best lawyers, yea law-makers, did so earnestly sue and solicit for.

Secondly, The parliament continuing their humble supplications unto the king, his Majesty was once graciously pleased, by message sent unto them, to promise, That the militia should be put into such hands, as they should approve of, or recommend unto him, provided that they declared (together with the names of the persons) the extent of their power, and the time of their continuance; both which they did, which shews evidently, That there was nothing unlawful in the substance of the thing desired (his majesty himself not excepting against that) but, at the most, that something, desired by them, did not square with some circumstances observed in former times.

Thirdly, The parliament, seeing a necessity of settling the militia, thought that, in conscience and human reason, it was much better, safer, and more agreeable to that trust, which was reposed in them by the kingdom, that the strength of the kingdom should rather be ordered according to the direction and advice of the great council of the land, equally intrusted by the king and kingdom, for the managing of the great affairs thereof, than that the safety of the king, parliament, and kingdom, should be left at the devotion of a few unknown counsellors, many of them having not been at all formerly intrusted by his majesty in any publick office or service, nor confided in by the commonwealth; and, therefore, we may conjecture the legality of the militia settled by the parliament.

Fourthly, The parliament desire not to remove the militia from the king, but from his subordinate ministers; who, by reason of their evil counsels given unto him, and their small love, respect, and care, shewed towards them, the parliament dare not confide in; and, therefore, only place it upon other ministers, whom they have no cause to suspect, nor against whom, when they were nominated to his majesty, he did except.

Fifthly, The parliament, long since, saw, and still sees, as themselves affirm, the kingdom in so evident and imminent danger, both from enemies abroad, and a popish, discontented, and disaffected party at home, that there was an urgent, and inevitable necessity, of putting the kingdom into a posture of defence, for the safeguard both of his majesty and people; and, in all probability and likelihood, if the militia at land, and the navy at sea, had not been settled in sure hands, when they were, we had, before this, been exposed to the practices of those, who thirst after the ruin of this kingdom, and endeavour to kindle that combustion in England, which they have in so great a measure effected already in Ireland. Now, the safety of the people be-

ing the supreme law, it must needs be lawful for the parliament to settle the militia, in case of such necessity.

Sixthly, The power given to those, in whose hands the militia is placed by the parliament, is only to suppress rebellion, insurrection, and foreign invasion. Now, that this power should be put into some hands is necessary, especially in dangerous and distracted times; and into whose hands better, and with more safety, than such as the parliament dare confide in, and against whose persons no exception hath been taken by his majesty; and therefore we need not much question the legality of the militia.

Seventhly, This is granted on all sides; to wit, That the commonwealth intrusts the parliament to provide for their welfare, not for their woe; and that this parliament, thus intrusted by the people, did by a law intrust the king with the militia, to wit, for the welfare of the commonwealth, not for the woe thereof; and that this is implied, in that act or grant, though not expressed, no royalist, I persude myself, will question or deny. And therefore,

1. If the king's desire, and royal intention be, as we hope it is, to settle the militia for the preservation, not perdition, for the defence, not destruction, for the strength and safety, and not inflaming or invassalling of his subjects and people; and that this likewise is the intent and purpose of his grand council, the parliament; then the difference, who shall establish the militia, is but a kind of *λογομαχία*, or contention about words, or a ceremony, or a quarrel, who shall have their will, when both purpose and resolve one and the same thing; which is too weak a ground, and too trivial a cause, to draw that ruin, desolation, and destruction upon us, which must inevitably fall upon and seize us, if these civil wars, which threaten us, and hang over our heads, be not prevented. But,

2. If, which God forbid, the king should intend, and endeavour, by the settling of the militia, to enslave us, to tyrannise over us, and to rule us (being so curbed, and kept under by a strong hand of power) by his own will, then the parliament and law did never settle the militia upon him for that end, or to be so used; for the equity of the law, and not the letter of the law, is the true law.

Eighthly, It evidently appears, *Aliquid latet, quod non patet*, That neither the militia, settled by the parliament, nor Hull kept for the king and parliament, nor the magazines of Hull removed by the parliament, are the true grounds of the war so violently threatened against the parliament, by the malicious, mischievous, and malignant party of papists, cavaliers, and other ill-affected persons. For,

1. There were attempts made, to be possessed of Hull, and the magazines, by Captain Legg, and the Earl of Newcastle, before ever Sir John Hotham was seized of it, much more, before he denied his majesty entrance therein; and this attempt, desire, and purpose, seems to some, and that not improbably, to take its rise from the Lord Digby's letter to the queen, wherein he desires, That the king would repair unto

some place of strength, where he may safely protect his servants, that is, such as will do him service against his parliament, amongst whom, most disloyally he saith, Traytors bear sway.

2. The Lord Digby promiseth, in his letter unto his Majesty, before the militia was settled, to do him service abroad, that is, as he expresseth himself, to procure for them supplies against the kingdom, and parliament, with which, he said himself would return, as he did indeed, in the ship, called the Providence, with store of arms, although he had been published and voted a traitor.

3. Before this, the same Lord Digby endeavoured to raise forces, under the pretence of a guard for the king's person, in winter.

4. Before the militia was settled, there were endeavours to incense the two nations, England and Scotland, and to engage their armies, one against the other, that in such a confusion, as must needs have followed, the parliament might not be able to sit, nor do us any good. For if, in this battle, we had been conquered, we might have feared to have lost ourselves, and all we had, to the conqueror, with whom we fought; and if we had conquered, we might have been sure to have lost ourselves, and all we had, to the malignant party, for whom we fought.

5. Before the settling of the militia, there were endeavours to turn the English army, against the parliament, as is abundantly proved by them.

6. By the testimony, and allegations of many, the Irish rebellion, which broke forth, before the militia was settled, was hatched by the popish, and disaffected party in England, not to have rested there, but to have ended here.

7. Before the militia was settled, some members of both houses, who were observed to be most zealous for the speedy suppression of the Irish rebellion, which, notwithstanding, was so long protracted and delayed; were unjustly charged with treason, and, after such unjust accusation, were demanded and required of the house of commons, by his majesty attended with a troop of cavaliers, who had intended to have taken them by force, if they had not been absent. By all which it appears, That the settling of the militia was not the cause, why war is made upon, or against the parliament.

And thus much may suffice, for the first quære, concerning the parliament's settling of the militia.

It may now, in the next place, be demanded, Whether it be lawful for us to obey this ordinance of the militia, thus settled by parliament?

In case of extreme danger, and of his majesty's refusal, people are obliged, and ought to obey, by the fundamental laws of this land, the command and ordinance agreed upon by both houses, or the major part of both houses, which is all one, for the militia. I enlarge not this answer, because that which follows, concerning the deserting of the parliament, may be applied hereunto.

Thus much may suffice for the first exception, taken against the parliament, viz. Their action, in putting the kingdom into a warlike pos-

ture of defence, by settling the militia, in such hands, as they durst trust.

I proceed now unto the other exception, viz. The fruits and effects of the settling of the militia, which are affirmed to be, The opposing of the king's precepts and proceedings.

We affirmed before, That, if the militia had not been settled, we had been in great danger of destruction; and now, when it is settled, we are neither free from fears, nor foes, enemies nor evils. Whence it may be demanded, How may we be preserved from that ruin and destruction, which hangs over our heads?

First, By standing upon our guard.

Secondly, By siding with, and assisting of those, who stand for us.

Thirdly, By resisting and opposing those, who withstand us.

This question is something like Hydra's heads; for, from this little head, four main ones sprout and spring up; to wit,

1. Whether the parliament may be deserted, or ought to be assisted?
2. Whether the King may be disobeyed, or his commands opposed?
3. Why the parliament dare not confide in the King, seeing he promiseth as much as they can desire?
4. Whether this war, undertaken by the parliament, be warrantable and lawful? Now, of all these in this order.

It may first of all, I say, be demanded, Whether we may desert the parliament, in this time of danger, or is it our duty to obey, assist, aid, and stick to them.

First, Whatsoever is said of this subject, in that treatise, called, 'Reasons why this kingdom ought to adhere to the parliament,' I wholly omit; as also many reasons, which might have been drawn, from a tract, which, by many solid arguments, justifies the Scottish subjects, for their defensive wars.

Secondly, Our Saviour's rule is here a worthy observation: 'Whatsoever you would, that others should do unto you, do so unto them.' Make the case ours, by supposing us in their places, and they in ours, that is, We parliament men, and they private persons; and look what aid, and assistance, we would expect, and desire from them, if we were in such danger, as now they are, the same we should now afford unto them.

Thirdly, I dare not say, that, with a blind obedience, we should actively obey them, in whatsoever they command; for as councils in divinity, so parliaments in policy, may err: And therefore inquisition, disquisition, examination, and conference are not forbidden us in any acts or statutes.

Fourthly, The members of the parliament are chosen by us, and stand for us, yea, are sent thither, intrusted by us with all we have,

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viz. Our estates, liberties, lives, and the life of our lives, our religion, and the safety of the King's person, and honour; and therefore, in equity and conscience, they ought not to be forsaken of us.

Fifthly, The parliament-men are no other than ourselves, and therefore we cannot desert them, except we desert ourselves; the safety of the commons and commonwealth being wrapped up in the safety of the parliament. As the wolves desired the sheep to put away the dogs, and then they would enter into a league with them; but when they had, by so doing, stripped themselves of their best friends, and laid themselves open to their fiercest foes, they were then devoured without pity; even so, may we fear, it will be with us, if we should be so sottish, as to reject, and desert the great, grave, and grand council of the land, which consists of as wise, faithful, meek, moderate, sincere, just, upright, understanding, zealous, and pious patriots, as ever any parliament in this land was possessed, and consisted of, and submit ourselves to the protection and care of obscure and unknown, yea malignant, and malicious counsellors, who would glory so much in nothing, as in our misery and ruin, as appears by their deeds, wheresoever they come, if they can but prevail.

Sixthly, The King's Majesty hath promised, in his message, Jan. the twelfth, 1641: That he will be as careful of his parliament, and of the privileges thereof, as of his life and crown; and therefore, if he assure them so, of his adhering unto, and care of them, then much more should we encourage them, by promising to assist them, so long as they stand for us, and our law, with our estates, and them.

Seventhly, We ought to obey, and assist them in any thing, which is lawful; and we ought not to suspect, that they will enjoin, or command us any thing as lawful, which is unlawful. The opposition, between the King's Majesty, and his parliament, seems to be about law; he affirming that to be lawful, which they deny; and they affirming that to be lawful, which he proclaims illegal. Now, the King is pleased to profess, that he is no expounder of law, that belonging neither to his person, nor office; and therefore, concerning the legality, and illegality of things, he will be guided by the judgment and counsel of others: And whose, or what counsel, in all probability and reason, can be better, sounder, sincerer, and more worthy to be followed than that of his grand council? Who assure us, that what they do, and enjoin us to do, is lawful, that is, according and agreeable to the law, either of God, nature, or the land. Now it becomes us, whom they represent, thus honourably and venerably, to think of them, viz. they know such and such things to be lawful, and, therefore, they do them themselves, and enjoin them to us. And not thus, as some pervert it, the parliament hath done, or commanded such, or such things; and therefore do affirm them to be lawful and just; for it is a principle in law, that no unworthy or dishonourable thing is to be imagined, or presumed of parliaments.

Eighthly, If we desert, and now forsake the parliament, we shall be found guilty before God of three great sins; to wit,

1. Perfidiousness: For, as we have intrusted the parliament, with

our estates, liberties, and lives; so we have engaged ourselves, to maintain, and defend them, so long as they pursue our safety, prosperity, preservation, and peace, according to law. And therefore, if for our good, or for discharging of their consciences, and trust, they be endangered, we are perfidious, if we leave them, and, for lack of succour, let them sink and perish.

2. Perjury; for all, who have taken the protestation, have promised, protested, and vowed, with their lives, power, and estate, to defend and maintain all those, who stand for the lawful rights and liberties of the subject; yea, to oppose, and, by all good ways and means, to endeavour to bring to condign punishment, all such, as shall either by force, practice, counsels, plots, or otherwise, withstand or endanger those, who stand for our laws, and liberties. Now, who stand more for our religion, laws, sovereign, and liberties, than our parliament? And who are more opposed and endangered for their zeal, and care for us, and our privileges, than they? And therefore we are guilty of perjury before God and man, if we, in this case, assist them not, but desert them.

3. Treachery; for such as forsake the parliament, as the case now stands, are guilty of a manifold treason; to wit, against the church, against the state, against the representative body of the land, and against themselves. For by deserting of the parliament, and suffering it to be trampled under foot, by papists, atheists, prodigals, delinquents, antiparliamentaries, and viperous monopolists, and projectors, we betray,

First, The church to error and heresy.

Secondly, The state to ruin and misery.

Thirdly, The parliament to blood and cruelty.

Fourthly, Ourselves to poverty and slavery. And therefore I may truly, and boldly, say, that it is those who desert the parliament, who are the principal causes of all the blood, which is, hath, or shall be shed, in this war, and of all the burning, plundering, ravishing, and thieving, wherewith the poor subject hath, or shall be oppressed.

Ninthly, We may not now, when things are come to maturity, and height, and the cursed conception is come to a birth, desert and fall from our parliament, because there have been long great jealousies, of some grievous mischief, to be intended against our church and state, by those who are enemies to both. Here note, that the jealousies which men generally have had, that there was, and is still some design on foot, for the ruin and destruction of the parliament, and of us through their sides, and of introducing, yea, establishing of popery, and of abolishing of protestantism in this land, are these and the like; to wit,

1. That army of eight-thousand Irish papists, which were raised by the Lord Strafford, and ready to come over, either to further the war with Scotland, or, if that jarr were composed, to join with the English army against the parliament.

2. The endeavours and courses which were taken, to bring our English army out of the north, either to destroy the parliament, or to awe and compel it, and take away the freedom of it.

3. The two letters sent to Mr. Bridgman, January 14, 1641, and to Mr. Anderton, which intimated some sudden, sad, and sorrowful blow, to be intended against the puritans, in, and about the city of London; and declared many things, of deep and dangerous consequence, which, considering many passages in the state since, seem not to be feigned or forged; but to foretel dangerous and devilish practices, really intended against the city, country, and parliament, by the popish faction.

4. The accusing of the six worthy members of parliament, against whom, as yet, no proof hath been brought, nor no particular instances produced, as hath been again and again promised, of any treachery, treason, or high and treacherous misdemeanors, practices, or plots.

5. His Majesty's going into the house of commons, attended neither with his ordinary guard only, nor pensioners and servants only, but with divers cavaliers armed, who, by their words and gestures, shewed themselves to be men of desperate resolutions, and bent upon some damnable and bloody design.

6. The endeavours used to the gentlemen of the inns of court.

7. The rebellion in Ireland, which was raised for the diversion and interruption of the parliament, for the weakening of our land, by the maintenance of that, and for the strengthening of the papists and popish faction with us. For when the English protestants had been plundered, pillaged, subdued, and slaughtered there, as it was reported, confessed, and acknowledged by divers of the rebels, when they were taken, they should have come hither to have assisted our papists and malignants, to have done as much to, and with us.

8. The calling in divers cannoneers, and other assistants, into the tower of London.

9. The making of Lunsford, a man of a known and notorious debauched life and conversation, lieutenant of the tower: for he being so apt and fit a man, for any desperate design, or devilish practice, and in that place, having so much command over the city, made all generally fear, that there was more mischief intended against the city, than did outwardly appear.

10. The selling of the crown jewels beyond the seas, and buying therewith field-pieces, pieces of battery, culverins, mortar-pieces, carbines, pistols, war-saddles, swords and powder, as appeared by the note of direction, which was sent over, and found among the Lord Digby's papers. Now, although these were bought in June, yet we must imagine, as appears by the time when they were writ for, that they were bespoke, and that order was given for the providing of them long before.

11. The fortifying and guarding of Whitehall with ammunition, in an unusual manner, and with men of turbulent spirits; for some of them with provoking language, and violence, abused divers citizens passing by; and others, with their swords drawn, wounded sundry other citizens passing by, who were unarmed, in Westminster Hall.

12. The drawing away of many members of the parliament, by messages and letters, from the parliament, that the actions of both houses might be blemished, and reported to be the votes only of a few, and an inconsiderable number, yea rather the acts of a party, than of a parliament.

13. The force raised at York, and the ammunition provided beyond sea, for to be sent unto York, that force being gathered, as was feared, to make an opposition against the parliament, but evidently perceived to be employed for the protection and support of delinquents.

14. The multiplying of papists in this land of late days; their frequent meetings, at certain places, in, and about the city, without controul; the audaciousness of their priests and jesuits with us, notwithstanding our strict and severe statutes against them; the residence of the pope's nuncio, so long, amongst us; the college of Capuchins, in or near unto Covent-garden, and the favouring and preferring principally such as were either popish, or Arminian, who in some points are true cousin-germans.

15. Lastly, his Majesty's absenting of himself from his parliament, withdrawing from them thereby both his presence and influence. Here note, that after the King was counselled and persuaded hereunto, this his absence was followed and attended with this doctrine, again and again iterated, viz. That the King absenting, dissenting, and severing of himself from his parliament, it was no parliament, neither had they any power to dispose of any of the weighty affairs of the kingdom; which dangerous doctrine seems to have been taught by court flatterers, for these ends, viz.

1. To discourage, weary, and quite tire out our courageous and indefatigable senate.

2. To divert, interrupt, and retard their consultations, and designs, both for our own reformation, and the subduing of the Irish rebels.

3. To take off people's hearts from the parliament, to stagger them in their obedience unto them, to cool their zeal for the preservation and defence of them, and to make them call in question all their proceedings.

4. To animate all those who stood disaffected to the parliament, to shew their disaffection and opposition with more freedom and less fear.

Tenthly, and lastly, to this main question, whether the parliament may be deserted, or ought to be adhered unto, I answer, that of (of necessity) some we must adhere and stick unto, that is, either to the grand and known counsellors of the land, or to obscure and private counsellors, that is, either to the parliament; or to the cavaliers, papists, malignants, delinquents, and disaffected persons of the kingdom.

Now because *Contraria juxta se posita clarius elucescunt*, Contraries are best commentaries, we will look particularly upon both, and consider the nature, ends, and aims of both, and from thence conjecture,

whom we may best desert, and whom with most safety follow; and first I begin with the cavaliers, and that side.

First, In that side, which consists of cavaliers, papists, malignants, delinquents, ill affected, and popishly affected persons, or, to term them only so, evil, private, and obscure counsellors, we have these two things to observe, to wit; first, their intentions and endeavours: Secondly, their nature and ends.

First, Their intentions, endeavours, and the fruit of their counsels; for I conjoin them altogether.

1. Their intentions and endeavours were to raise civil war, and that both first in Scotland, and afterwards in Ireland, and now in England; and,

2. To persuade the King to rule by his own will. The Lord Faulkland tells us, that the King was persuaded by his divines, that in conscience, by his counsellors that in policy, and by his judges, that by law he might do what he list: Which doth directly labour to raze the very foundation of our well founded state, and to introduce and rear amongst us an arbitrary government. And,

3. They endeavour to make division between his Majesty, and his parliament, whom God and the laws of this land have united in so near a relation; as appears,

First, By their endeavours and persuasions to draw the King from his parliament, which they have effected now for a long time, and he still continues his absence from them; altho', I think, the most shires in England have most humbly petitioned and besought him to rejoice and revive all the drooping, dead, and sad hearts of his people, by affording him much and long desired presence unto his parliament. If these persons, whatsoever they are, who thus counsel the King to estrange himself from the parliament, and to oppose and disgust all their proceedings, and designs, were but masters of Hull, the militia, and navy, they would then quickly master both the parliament and all the kingdom; who could expect but bad quarter from such masters, who by their counsels and endeavours to divide the King and parliament shew, that they are neither friends to the commonwealth, nor favourers of the publick safety; and,

Secondly, By their fear that the King should accord with his parliament: For the malignants and evil counsellors stand in great fear, that his Majesty is too inclinable to an accommodation with his parliament, which, above all things, they abhor, fearing thereby to be undone, that is, to lose the spoil, pillage, and possessions of this land, which they have long since hoped for; whence they have solicited the queen to dissuade the King, by all means, from such accommodation, hoping to obtain their desires, the ruin of this land, by the queen's interposing. See the Lord Digby's Letter to the Queen, March 10, 1641, and Mr. Eliot's Letter to the Lord Digby, May 27, 1642.

4. They endeavour to cast aspersions upon the parliament, persuading the people, that the parliament would set up an aristocracy,

take away the law, and introduce an arbitrary government: a report so false, that no man of common sense or reason can credit it.

5. They have, and do still endeavour and combine together to effect and work the ruin of the parliament, or at least to force it, and by forcing thereof to cut up the freedom of parliament by the root, and either to take all parliaments away, or, which is worse, make them the instruments of slavery, to confirm it by law, as the parliament in Richard the Second's time did, when they found the King's anger against them, and feared the people's forsaking of them. See the treatise called, *The Success of former Parliaments*.

6. The fruits and effects of the intentions and endeavours of those evil counsellors have been nothing but contention, dissension, division, debate, decay of trading, and more misery than would fill a volume, if we should consider all the distractions, distresses, dangers, fears, discommodities, hinderances, and losses, which both England, Scotland, and Ireland, have felt, undergone, and sustained by their counsels, designs, and plots.

And thus much for the intentions and endeavours of evil counsellors, and the fruits and effects of their evil counsels.

Secondly, We have now to consider the nature and ends of these evil counsellors, who desert, and oppose the parliament.

1. They are men of lost estates, and desperate fortunes; and these aim only at plundering and pillaging, desiring to raise themselves by raising others, and to build up themselves upon their brethren's ruin. Or,

2. They are papists, and popishly affected persons. The citizens of London, in their petition presented to the house of commons, Dec. 11, 1641, testify, That information is given to divers of them, from all parts of the kingdom, of the bold and insolent carriage, and threatening speeches of the papists. Now, those aim either at the introducing and establishing of popery amongst us, by the change of religion, or at least, at the gaining of freedom to profess, or an open toleration of their idolatrous and superstitious religion: Which, because they can never expect, nor hope for from the parliament (which labours so zealously for the reformation of our church, and the abolition of all popery, and other popish innovations) they therefore join, and side with the former sort, which seek nothing but mischief and ruin. Or,

3. They are delinquents, malefactors, and guilty persons, who have, by some plots, practices, monopolies, projects, or otherwise, trespassed and transgressed highly against the commonwealth for their own private advantage and profit. Now these hope, that, by siding with the cavaliers and papists against the parliament, they shall be protected against it, and the justice thereof. Or,

4. They are the ministers of the land, who are corrupt either in life and doctrine, that is, are either superstitious, ceremonious, contentious, covetous, popish, heretical, scandalous in their lives and conversations, or slothful in the discharge of the work of their ministry. Now these hope, by siding with the former, to keep and hold fast what

they have, fearing the justice of the parliaments's will, for their demerits deprive them of those spiritual or ecclesiastical dignities and possessions which they hold and enjoy. Or,

5. They are of that number of the nobility or gentry of the land, whose lives have been very loose and unbridled. Now these oppose the pious proceedings of the parliament, lest such restraint should be imposed upon them by that reformation which is intended and endeavoured by them, that they may, without punishment, live as they list, have done, and desire still to do. Or,

6. They are ignorant persons. Now there is a two-fold ignorance, viz.

1. Natural. Now they are naturally ignorant, who, for want of knowledge, understanding, and teaching, are neither able to discern of the designs and intentions of the adverse party, nor to foresee the miseries which will come upon them by aiding and assisting of, and siding with them; nor to know what is their duty, and how far, and in what cases they may aid and assist the parliament against some personal or verbal command of the King. And,

2. Affected. Now this mischievous, malicious, and affected ignorance, is in those who will neither read nor hear any thing which may inform them in the former particulars, viz. The nature, intentions, ends, and fruits of evil counsels and counsellors; and what is their duty in regard to the great counsel of the land. Or,

7. They are of that number of the nobility and gentry, who seek preferment by betraying their country, to serve and be made subject to the court. Or,

8. They are the allies, friends, acquaintance, and associates of some of the former; who although in themselves they stand not much disaffected to parliaments; yet, in regard of their friends, they leave it, and cleave unto them. Or,

9. They are timorous and fearful; who, although they wish well unto the parliament, yet they dare not shew their affection, nor afford any aid unto them, lest, thereby, they incur some malice or detriment through the King's displeasure. Or,

10. They are covetous, and desirous to keep their money and means; and therefore, whatsoever their hearts and affections be unto the parliament, they dare not shew their approbation of their proceedings, lest they should be wrought upon to supply them, and their wants, for the support of the state, their necessities and occasions, in regard of the land, being great, urgent, and pressing. Or,

11. They are *Machiavilians* and politicians; who, desiring with the cat to fall on their feet, and to be free from blame and danger, however the world wags, will neither side nor support, neither aid nor assist, either King or parliament.

Let us now seriously consider three things, from what been said of the nature of this side, or party, viz.

First, Who are those evil counsellors which we must not adhere to, but desert? It is denied, that there are any such about the King; but I conceive what I shall say will not be gainsayed, viz. If there be any about the King who first move him to civil wars: And secondly, persuade him to rule his people according to his own will, or an arbitrary power: And, thirdly, strive to divide and estrange the King from his parliament: And, fourthly, cast, even in his ears, aspersions and false calumnies upon his parliament: And, fifthly, labour to ruin and destroy the parliament: And, sixthly, by their plots bring misery and confusion upon the whole land: None, I say, will deny, but these are evil and wicked counsellors, who deserve to be disclaimed, deserted, and left free, and laid open to the penalty of the law. Now, that there are some such about the King, or in high favour, power, and credit with him, is more than evident, though I, and wiser than I, cannot particularly name them; for,

1. His Majesty professeth a detestation of war, and yet prosecutes it; which shews, that some put him upon it. And,

2. He protests to govern his people according to established law, and yet he hath been persuaded to an arbitrary government by them about him, by many plausible and fair-seeming arguments, as himself affirms in one of his messages. And

3. He solemnly professeth his love unto, and his care of, and his honourable respect to his parliaments and their privileges, and preservation: and yet, some have withdrawn his person from the parliament, and to himself vilified the parliament; yea, have had plots upon the parliament, and have laboured that in them they might be countenanced and protected by his sacred Majesty. And,

4. The King again and again calleth God to witness the sincerity of his heart towards all his people, and how earnestly desirous he is, that they may live happily and prosperously under him; and yet, by following the counsel of some, many, great, and long evils have pressed all the three kingdoms of England, Scotland, and Ireland. And, therefore, it must needs be granted, that there are malignant counsellors about the King, who work much misery and mischief both to himself and his people; and that they cannot be unknown unto him, if he would please to disclose, discover, and leave them to the just and equal trial of the lovers of the land.

Secondly, Let us consider, from this army of malignants, and mischievous counsellors, and party, what, in all probability, we may expect and look for, if they prevail against the parliament.

That is, if,

1. Men of desperate fortunes prevail, what can we expect but plundering and pillaging? And,

2. If papists prevail, what religion but popery?

3. If delinquents, what but oppression?

4. If bad ministers, what but bad preaching and ill practising?

5. If loose gentry, what but profaneness?
6. If ambitious spirits, what but contempt, cruelty, and disdain?
7. If ignorant persons, what but their own self-wills?
8. If delinquents and malignant friends, what but such a measure as we find from delinquents and malignants themselves? But from an army consisting not of one, but of all these, what can we expect but all these evils? And, from the wickedness which will be committed by them, the heavy judgment of God to be hastened down upon us.

Thirdly, Let us consider, whether there be any the least probability of receiving any benefit, or profit, in any regard, from this side or party if they should prevail against the parliament.

1. Can we expect that the propriety of our goods shall be maintained and preserved unto us, by men of decayed, lost, and desperate fortunes? Or,

2. Can we expect that the true orthodox protestant religion shall be maintained and preserved, by heterodox and heretical papists? Or,

3. Can we expect to be preserved free from unjust impositions and taxes, by oppressing projectors and monopolists? Or,

4. Can we hope that our parliament privileges will be preserved by delinquents, and contemners of parliaments? Or,

5. Can we expect the propagation of the gospel, or that the sincere, faithful, painful, and profitable preaching thereof shall be promoted by lewd, lazy, and corrupt ministers? Or,

6. Can we expect that piety, and the honour of God, shall be preserved in the land, by loose and prophane gentlemen, and nobles? Or,

7. Can we expect¹ that justice, just measure, and equity, shall be maintained by those who aim at nothing but their own gain and greatness? Or,

8. Can we expect that our laws shall be preserved inviolably, by those who are wholly bewitched with the love of an arbitrary government? Sense and reason will tell us, that these things cannot be expected from those persons; neither that any good can come unto the land from such an army.

I might conclude this last answer, to that main question, whether the parliament be to be obeyed or deserted? as I began it: To wit,

To one side of necessity we must adhere and cleave; that is, either to the evil and obscure counsellors, or to the parliament.

But we must not adhere and stick to the evil and malignant ones, for those reasons specified before.

Therefore we must adhere and cleave close to the parliament.

This argument, I say, together with what hath been spoken against the malignant party, might be sufficient for the amplification of the last answer: But as I have said something against the one party, so I

will say something for the other, as I promised, for the better fastening and setting of the truth home upon the heart, of whosoever will vouchsafe to peruse this treatise.

Secondly, In that side, or party, which consists of the great and grand council of the kingdom, I will (as in the other party) observe divers things, for the amplication of this truth, that the parliament ought not to be deserted, but obeyed and assisted: To wit,

1. The ends of parliaments.
2. Their necessity.
3. Their excellency.
4. Their utility.
5. The reason why we ought to believe ours.

First, The ends of parliaments are briefly these two: To wit,

1. That the interest of the people might be satisfied.
2. That the King might be better counselled.

Secondly, The necessity of this parliament shews itself, by the miserable and distressed condition wherein our land was, and the multiplicity of grievances we groaned under, as is to the life declared, in the Parliament's Remonstrance of the State of the Kingdom, set forth, December 15, 1641.

Thirdly, The excellency of parliaments is declared by his Majesty himself, who doth highly extol the constitution of this government of ours, and especially the nature of parliaments, which consist of King, peers, and commons; acknowledging, that the power, which is legally placed in both houses, is more than sufficient to prevent and restrain the power of tyranny: Which argues plainly, that there is much and great power (and that by law) placed, and put into the hands of both houses, or the major part of both, for the good and preservation of peers and commons, when the commonwealth, or whole, is in danger, and the King, being seduced by wicked counsel, doth desert, and refuse to join with them in their own defence. For if they cannot do any thing (upon any occasion, necessity, extremity, or danger, tho' never so evident, apparent, or urgent) without the King, then the sole power of managing the affairs of the kingdom doth, even *in arduis*, in high, yea, in the highest cases, belonging only unto the King; and nothing at all to either, or both houses, except, or but what he alledges: That is, though the land lay a bleeding, and were invaded by hosts and armies from abroad, and papists and rebels at home (as Ireland now is) and the King would make no provision against them, or for the suppressing and withstanding of them; the parliament must sit still, and suffer all to be lost and ruined, having neither power to raise, nor use any force without the thing.

Fourthly, The utility and benefit of parliaments is great; and that both,

1. To Kings and princes; and that,

1. In regard of their reputation, fame, and honour. Antoninus Pius is greatly renowned for communicating all weighty affairs, and following publick advice and approbation in all great expedients of high concernments; and he was more honourable and prosperous therein, than was Nero, who made his own will his law. And thus always those princes have gained unto themselves most honour and renown, who were most willing and ready to listen to the counsel of the land in important affairs: And, also,

2. In regard of their crown and state; for the Kings of England, by this representative body of their people, are always assisted, and that upon all occasions: As for example,

First, If they lack money for any necessary occasion, the parliament supplies them.

Secondly, If they be invaded by any foreign or domestick foe, or force, the parliament assists them.

Thirdly, If any be injured, reproached, or dishonoured, by any potent person or prince, the parliament will vindicate and avenge them. All which were seen evidently in Queen Elisabeth's time, between her and her parliament. And,

Fourthly, I may add, that none of our princes were ever yet happy without the use of parliaments: And, therefore, it is plain, that they are beneficial and utile unto princes, and consequently not to be deserted of subjects which are loyal to princes.

2. As parliaments are useful and utile to princes, so they are also beneficial and profitable unto people, as appears by three particulars, viz.

1. Without parliaments, people have no possibility of pleading their own rights and liberties, they being too confused a body to appear in vindication of their proper interests. Whence it comes frequently to pass, that what all should look after, no man does, and what is committed to none, no man thinks his own charge: And, therefore, some few chosen out by, and from amongst the people, to consider of their liberties, laws, and grievances, must needs be very advantageous unto them.

2. As people cannot, without confusion, plead for themselves, so often the subordinate magistrates, and judges of the land, through fear, flattery, or private corruptions, do often betray the people's rights, by unjust sentences or verdicts: And, therefore, such counsellors as can have no private aims or ends of their own, but are themselves involved in the same condition with the people, both in weal, and woe, must needs be profitable for them. Yea,

3. By this present parliament, we have reaped already many great and notable benefits, and, therefore, may conclude from our own experience, with a *Probatum est*, that parliaments are beneficial to people. By this parliament we are free from these two grievous arbitrary courts, the high commission, the purgatory of the church, and star-chamber, the terror of the commonwealth; as also from the

heavy burthen of ship-money, and the oppressions we groaned under by reason of monopolies, and other illegal impositions; yea, bishops removed out of the house of peers, who having their dependence upon the King, for the most part, would side with him, in any thing, though it were adjudged by the parliament to be destructive and hurtful to the kingdom. This particular is so abundantly amplified, and that so truly, by the parliament in their remonstrance of the state of the kingdom, set forth December 15, 1641, that I will not enlarge it; but only conclude, that, if the ends, necessity, excellency, and benefits of parliaments be such as hath been shewed, then they are worth standing for, and ought not to be deserted. Now,

Fifthly, We will take a short view of some particular reasons why we ought to believe, and obey this our present parliament, and not relinquish it, viz.

1. Because they can have no bye-ends, nor base respects of their own: For, if they aimed at promotion, preferment, and wealth, they might much easilier attain those, by complying with, than by opposing the designs and personal commands of the King. It is, or at least hath been, an approved maxim, that a community can have no private ends to mislead it, and to make it injurious to itself: And I never heard nor read so much as one story of any parliament freely elected and held, that ever, for any ends of their own, did injure a whole kingdom, or exercise any tyranny over the land; but divers Kings have done sundry acts of oppression; for nothing can suit or square with the common counsel, but only the common good, and therefore it is great reason that we should believe and obey them. And,

2. Because no benefit at all can redound unto them by feigning, forging, or counterfeiting of false fires, fears, chimera's, and dangers which are not. And therefore we may the better believe what they say. And,

3. Because we never yet found them false unto us. It was the saying of one, If my friend deceive me once, I will blame him; but if twice, myself; meaning, that he would never trust him the second time, who deceived him once. Now charity persuades us to hope, and believe, where we see nothing to the contrary; and give credit unto them, in whom we never saw any designs, or endeavours, to betray us, or our liberties, but rather always on the contrary. And,

4. Because they know more than any one of us. Two eyes, we say, see more than one; and the parliament is the eyes and ears of the republick, and their information, conference, intelligence, experience, knowledge, &c. doth afford unto them some sight and insight into all things, passages, occasions, affairs, negotiations, &c. both at home and abroad. And, therefore, it is not without cause, that we should believe them. And,

5. Because they never shewed any disloyalty unto the King, that ever yet was observed by the commons or commonwealth, whom they represent. We find in all their petitions, royal expressions, humble

suits, hearty intreaties unto his Majesty to comply with them for his own honour and safety, cordial protestations of the sincerity of their intentions towards his Majesty, and free and full promises, neither to spare pains, purses, persons, nor estates, for the defence of his person, and preservation of his honour; yea, unwearied, and, beyond human patience, continued supplications to his Majesty to join with them; yea, continually passing by, omitting and taking no notice of all personal imputations, yea, reproachful aspersions, that have been cast upon them; still taking, as much as possibly they can, all blame from his Majesty, and laying it upon his evil council. And,

6. Because the King himself doth not accuse the parliament, but only some few particular persons therein; and, therefore, that which comes, or is commended unto us by the whole parliament, we may believe and obey, his Majesty promising to protect them and their privileges, and to except them in all his taxes and accusations. And,

7. Lastly, We may obey and adhere unto the parliament, because the King of Kings seems to favour their proceedings. How do we see the Lord blowing upon all the devices of their enemies, sometimes turning them back upon themselves, and sometimes turning their wisdom into foolishness: Or, what counsels, what letters, what plots and practices, what words and passages, against King and parliament, have strangely been discovered, prevented, and come to light, to the joy and rejoicing of parliament and people, and terror and amazement of the contrivers, and authors of them? How extraordinarily the Lord hath assisted that honourable assembly with zeal, courage, wisdom, discretion, prudence, moderation, patience, and constancy in all their consultations and desires? How hath the Lord preserved their persons from imminent peril, and given them favour in the eyes of all counties, notwithstanding the base and bitter aspersions cast upon them by some? When they had cause to be discouraged, by reason of the strong opposition of the delinquents, and disaffected persons, what encouragements have they even then found, from the petitions, promises, and resolutions of divers shires? Wherefore, seeing these are blessings, and such as belong unto the godly, we may persuade ourselves, that the Lord, seeing the sincerity of their intentions, doth in much mercy shew his gracious acceptation of their zeal, for the good of our church, King, and commonwealth. I conclude this particular, if the Lord seem to say to our grave and gracious senators, as he said unto Joshua, There shall be none able to withstand you, because I will be with you, yea, I will not leave you, not forsake you; therefore, be strong, and of good courage: Then let none, who would be the Lord's soldiers and servants, desert the horsemen of Israel, and the chariots thereof, yea, the Lord's captains who fight his battles.

And thus, by a serious consideration of these grounds, we may easily conjecture, yea, abundantly satisfy ourselves in this point, that the parliament is not to be deserted, or forsaken by us. I proceed now unto the next quære, which is,

Whether may the king be disobeyed, and his commands withstood, or not? Whether he is to be opposed in his proceedings by any command of the parliament? Or, Whether are we now to obey king, or parliament?

First, Some princes think, that they may lawfully do whatsoever they have power to do, or can do; but the contrary seems truer, both by the light of reason, religion, and all power intrusted by law in the hands of any, viz. That princes have no power to do, but what is lawful, and fit to be done.

Secondly, Personal actions of superiors may be disobeyed. The grammarians say, *Rex regis, à rego*, the word king, comes from governing, because kings are no other, but more high and supreme governors and magistrates. Now some hold, and, I think, warrantably, that, if any magistrate, or judge, do pursue a man, not judicially, and by order of law, but invade him by violence, without any just cause, against all law, that then, in so doing, he is to be held as a private person, and as such we may defend ourselves against him. As, for example, A woman may defend her own body against an adulterer, though a magistrate. A servant may hold his master's hands, if he seek to kill wife or children in his rage. Mariners and passengers may resist him who stands at the helm, if they see that he would run the ship against a rock; yea, they might hold the prince's hands, if, being at the helm, he misgoverns the ship, to their certain shipwreck without prevention, because, by his so governing thereof, he hazards both his own life and theirs, and they, by holding of his hands, prevent both his and their own ruin, which seems to be our present case; and, therefore, much more may the whole body defend itself against any such unjust and unlawful invasion, as will indanger the safety and welfare of all.

Thirdly, The king's personal, that is, verbal commands, without any stamp of his authority upon them, and against the order of both houses of parliament, I imagine may be disobeyed. For, I do conceive, that no lawyer will say, Suppose the King should take the broad-seal of England from the lord keeper, into his own hands, that all the writs whatsoever he should issue forth, signed with his own hand, and sealed therewith, ought to be obeyed: For it is not the stamp and impression of the seal which makes a thing lawful; but the keeper thereof ought to be a lawyer, and, by his place, should not, for fear or favour, sign any writs therewith, but such as are legal; and, if he do otherwise, he is liable to be questioned, and censured by a parliament. And, therefore, doubtless, when writs and precepts are issued forth without the broad-seal, or without a regal, that is, legal authority, as all the writs and commissions, for executing the commission of array, are, as is proved both by the parliament and others, they may be disobeyed and withstood, especially when they are destructive to the commonwealth.

Fourthly, Princes by parliaments may be withstood, when they desire, or endeavour those things, which tend to the invassaling of their people. Kings, we know, sometimes have loved their enemies more than their friends, and have marched forth amongst their enemies, to

encounter with their friends. As, for example, Richard the Second thought Spencer, and his confederates, his best friends, though they were base sycophants, and baneful foes, and conceived that his peers, who were his loyalest subjects, were the trues traitors. And hence princes, being abused by the flattery of private persons, for some wicked ends of their own, have followed their private perverse counsels, before the grave, loyal, and faithful advice of their sage senate. Now that it is lawful for parliaments to withstand princes, who make unlawful war upon their people, is so evidently proved, by the author of that lately come forth, and learned and pious treatise, called, *A sovereign antidote to prevent civil wars*, page 6, 7, 8, 9, &c. that at present I wholly silence it.

Fifthly, The matter, with us, is quite and generally mistaken, and the question altogether wrong stated, viz. Whether we should obey the king, or parliament? For the king and parliament are not like two parallel lines, which can never meet, nor like two incompatible qualities, which cannot be both in one subject; nor like the Ark and Dagon, whom one house will not hold; nor like God and Mammon, which one man cannot serve: For by siding with, and assisting of the parliament, in those things which are according to law, we side with, and serve the king.

Two things are here distinguishable, to wit,

1. In our obeying of the parliament according to law, we obey the king. This his majesty grants, commands, and commends; yea, professeth, that he requires no obedience of us to himself, farther than he enjoins that which is lawful and just: And,

2. In our obeying of the parliament in this present military and martial design, we stand for the king, not against him: That is, for the good of his soul, person, estate, honour, and posterity; of which a word or two severally.

1. They stand for the soul of their sovereign, who withstand him, having a lawful call and warrant thereunto, from doing those things, which, if he do, he can never justify in the court of conscience, nor at the great chancery day of judgment, but must sink under the sentence of condemnation, for those unlawful and unjustifiable facts: And therefore the parliament, and we in obedience unto them, are friends unto the soul of our dread sovereign, in not obeying, aiding, and assisting of him, to make unnatural, unlawful, and unwarrantable wars, upon his parliament and people, which can never be defended, or justified, before or unto God, to whom the mightiest, as well as the meanest, must give a strict account of all their actions at the last day: And,

2. They stand for the king's person, who obey, join, and side with the parliament. His majesty's person is now envired by those who carry him, as far as the eye of human probability can see, upon his own ruin, and the destruction of all his good people; which the parliament seeing, they labour to free him from such false hands, by this twofold means, viz.

1. By persuading, beseeching, and most humbly soliciting his majesty to forsake them, and to rejoice and make glad the hearts of his par-

liament and people, by conjoining himself with them. But this request, suit, and supplication, will not yet be granted, though with much importunity and many loyal expressions desired. And,

2. By labouring to take his evil counsellors from him; they being confidently assured, and piously persuaded, of the king's sweet disposition, and readiness to comply with them, in any thing which might conduce to the good, either of church or commonwealth, if he were not over-swayed and deluded by the feigned, flattering, and crafty counsel of those about him, who look with a sinister eye upon our state. Now this seems to me to be all that is aimed at, in this present military and martial design: For the parliament do not purposely, and in their first intentions, intend by their soldiers to cut off any (for, if any be slain by them, it is by accident), but to preserve and keep the peace of the kingdom, to maintain the privileges of parliament, the laws of the land, the free course of justice, the protestant religion, the king's authority and person in his royal dignity, and to attach, arrest, and bring such as are accused, or imagined, to be the disturbers and firebrands of the kingdom, unto a fair, just, equal, and legal trial, which no man can think unlawful in our law-makers: And therefore, both senators and subjects, in the prosecution of this design, stand for the safety of their prince's person. And,

3. They stand for his state, wealth, honour, and reputation, for I conjoin all these together. Kings acquire and accumulate more honour, respect, wealth, and power, by their meekness towards, tender love of, and vigilant care for their subjects, and their safety, as we see in Queen Elisabeth and Tiberius, so long as he was such, than by tyrannising over, and cruelly oppressing and handling of them, as we see in Caligula. If our gracious sovereign would be but pleased to consider the honour and prosperity which his predecessors have enjoyed, by following the advice of their parliaments, and the dishonour our nation hath in divers designs received abroad, and the grievous troubles, vexation, and discord, we have had at home, since parliaments have been disused, and laid asleep, he would then certainly see, that they seek his wealth, honour, reputation, and welfare, who desire to reconcile and conjoin him unto his parliament, and advise him to govern his people by parliaments, and endeavour to free him from the power and hands of those, who, being themselves, desire likewise to make him an enemy unto parliaments. And,

4. They stand for his posterity: For, as evil-gotten goods slip and waste away, and seldom continue to the third generation; so kings cannot be sure, that their posterity shall peaceably and successively enjoy their crowns, except themselves rule and govern according to law, righteousness only establishing the crown and throne, both upon princes, and their posterity; and therefore they, who assist not the king in those things, ways, and courses, which are illegal, grievous, yea, destructive to the commonwealth, are his children's and posterity's best friends.

I conclude this question with this argument:

Those who labour, with their lives and estates, to defend and maintain the king's soul, honour, reputation, wealth, person, and posterity, obey and stand for him.

But the parliament, and all those who side with them in this present design, labour, with their lives and estates, to maintain and defend the king's soul, honour, reputation, wealth, person, and posterity.

Therefore the parliament, and all those who side with them in this present design, in so doing, obey and stand for him.

It should seem, by what hath been spoken, That neither parliament, nor people, doth intend the least indignity, dishonour, or disloyalty to the king; and it is most perspicuously and clearly to be seen, in all the king's gracious messages and declarations, That he hath no design upon his people, or parliament, neither intends any harm, opposition, or oppression unto them, but professeth to rule them according to law and equity: How then comes it to pass, that either the parliament will not, or dare not, confide in the king?

First, It is because they see, that some about the king are potent with him, who affect not the parliament, nor their proceedings; have that influence in his councils, and are so predominant and prevalent with him, that they have often varied and altered him from his words and promises. It is a maxim in law, The king can do no wrong: For, if any evil act be committed in matters of state, his council; if in matters of justice, his judges must answer for it; and therefore I will not lay any fault upon the king, but rather impute the faults, which have been of late obvious unto many, unto some about him, or in great favour with him. Great discouragements, I grant, the parliament, in their proceedings, have had from the king; but I dare not imagine, that they came originally and primarily from him, but from some about him, in regard of that vast difference, which is between his words spoken to his parliament with his own mouth, when he was with them, and the messages sent unto, and the heavy charges laid upon them, in his letters and declarations, now when he is absent from them. He said once, That on the word of a king, and as he was a gentleman, he would redress the grievances of his people, as well out of parliament, as in it. Again, That he was resolved to put himself freely and clearly upon the love and affection of his English subjects. Again, We do engage unto you solemnly the word of a king, that the security of all and every one of you from violence is, and ever shall be, as much our care, as the preservation of us and our children. And yet, what actions and passages have of late fallen out, quite contrary to all these expressions? The parliament, and all who side with it, assist it, or obey it, in any of the commissions or orders thereof, being assaulted, opposed, yea, now at last proclaimed traitors. Again, his majesty doth profess the detestation of a civil war, and abhors, as he saith, the very apprehension of it: But this mind neither seemed to be in them who came with his majesty to the house of commons, nor who accompanied him to Hampton Court, and appeared in a warlike manner at Kingston; nor in divers of those who have been with him, and employed by him at York, Hull, Leices-

tershire, Lancashire, Somersetshire, Northamptonshire, and other places; and therefore we must needs conceive, that the king is put upon these courses and ways by his evil counsellors, and, consequently, that the parliament cannot confide in his words and promises, until those counsellors be put from him, or forsaken by him. And,

Secondly, Because of that trust which is reposed in them. I dare boldly say, That, if the king should take or make those protestations, which he makes in his messages and declarations, unto any one of the parliament-house, for the performance of any promise, either unto them or theirs, which did simply or solely concern themselves, they would believe and obey him, and, without any further question, confide in him; but they cannot do this in the case and place wherein they are. The trust, reposed by the people in the parliament, is as well to preserve the kingdom by making of new laws, when and where there shall be need, as by observing and putting the laws already made in execution: And therefore, in regard of this truth, they dare not hazard the safety, preservation, and sole managing of the land to his majesty alone, upon his bare word; because, if after such confiding of theirs in the king, upon his faithful promise unto them, he should be over-swayed, and seduced by some wicked counsellors, to lay some illegal impositions, taxations, and burdens upon his people (as he did soon after the granting of the petition of right unto the subject) the kingdom then would (and might justly) blame them as the authors of their grievances, that had so lightly given away their liberty and freedom, by subjecting them to an arbitrary power. And indeed, if we would but consider it without passion and partiality, the case is no other but this: If the parliament should wholly confide in the king's words and promises, then there were no more requisite in them, than this, To make a declaration unto his majesty of the grievances, burdens, annoyances, and illegal proceedings in all, or such and such courts or persons, to the great oppression and heart-breaking of the subject, and, having so done, to obtain some serious promise and protestation from the king to take off all these pressures, and to be careful for the future, that no such shall be imposed upon them; and then to confide in the king, and to break up the parliament, and repair every one to his own house. Now, if sense, reason, experience, and knowledge will tell us, that this is far from, or comes far short of the true nature and duty of a parliament, then let us think, that it is reason (as the case now stands) that the parliament should not confide in the king. And,

Thirdly, Because it were very dangerous for the time to come. Admitting our present sovereign were as prudent as Solomon, yea, as pious as David, yea, like him, a man after God's own heart; yet it were dangerous for the parliament so to confide in him, that they should trust the managing of all the great and weighty affairs of this kingdom wholly and solely unto him, and consequently granting him an arbitrary power to rule us according to the dictates of his own conscience, or as the Lord would move and persuade his heart. This, I

say, is not safe; because, if they grant, give, or settle this power upon him, as King of England, then all other succeeding kings will challenge and claim it as due, or think they are not respected as their predecessors; whence, if any of them prove tyrants, or tyrannous oppressors, we shall be most miserable and wretched slaves.

Object. Some, perhaps, may here object, That although princes should not use their absolute power, by doing always what they list, yet they ought not to be circumscribed, limited, or restrained in their government, by any tye or obligation of law.

Answ. 1. First, It is much better, considering the corruption of our nature, to be withheld, by some restraints of law and covenant, from that which is evil, and which we cannot justify before God in the court of conscience, than to be boundless, lawless, and left to live as we list, and to do whatsoever seems good in our own eyes.

Answ. 2. Secondly, This also is better for others; for, as the crane had better keep his head out of the wolf's mouth, than put it into his mouth, and then stand at his mercy, whether he will bite off his neck, or not; so it is better for every wise man rather to keep and preserve those immunities, freedoms, prerogatives, and privileges, which God and nature hath given unto him for the preservation, prosperity, and peace of his posterity, person, and estate, than to disfranchise himself, and to relinquish and resign all into the hands of another, and to give him power either to impoverish or enrich him, either to kill, or keep him alive.

Quest. 7. I come now unto the last question, which is this: Suppose things come unto this height and issue, that the King will have the parliament to confide in him for all they desire of him, or otherwise he will by wars labour to have his will of them; then, Whether is this martial and military design, undertaken by the parliament, against that party which is owned and aided by the king, lawful, or unlawful? And, consequently, Whether may and ought we to assist them, or not?

Answ. 1. First, In general, I answer concerning means by these propositions, to wit,

1. Means must be used for preventing and removing of all temporal evils.

2. The means to be used, for the removal of temporal maladies, must be always lawful; for we must never do evil, that good may come thereof.

3. The means to be used must be always conformable, answerable, and suitable to the malady; as, for example: A man must not take a sword to quench a fire, nor think to defend himself against an armed foe (who comes with his sword drawn, or musquet charged, or pistol cocked to take away his precious life) with fair words; but must consider what remedy, or means, is most proper for the preventing of the

evil feared. Now there is no means better against offensive wars, than defensive.

Answ. 2. Secondly, I answer in general again, concerning actions, by two propositions; to wit:

1. That, which is not lawful for a private person to do, is lawful for a publick: As for example, it is not lawful for a private person to take away the life of one, whom he knows to have robbed, or murdered some one or other, but it is lawful for the judge upon the bench, upon good proof, to do it.

2. That, which is not lawful for a private person, in his own particular cause, is lawful for him, in a publick: As for example, had Faux been ready to have given fire to his train, when the parliament had been full, and in the very instant, had fallen by a private man's sword, that act had not been punishable, but praise-worthy; but it is not lawful for a private man to take away the life of one, because he sees or knows, that he intends some mischief against his neighbour or acquaintance; but is bound only to endeavour to hinder, and prevent it, or at least, not to fall upon him, except he can, by no other means, prevent the death, and preserve the life of his brother; and neither is this, I think, lawful in all cases.

3. That, which is not lawful for a private and particular man to do, upon his own head, is lawful for him to do, being commanded by authority; As for example, if it be not lawful, for Sir John Hotham, to shut the gates of Hull, against the king, of his own accord; yet it is lawful, being warranted and commanded by the parliament. If it be not lawful, for the Earls of Essex and Bedford, to take up arms to suppress that party, which oppresses the kingdom, of themselves, yet it is lawful, by the order and commission of parliament; as is proved by 'The sovereign antidote to appease our civil wars.'

Answ. 3. Thirdly, If his majesty passed an act, not only of obli-vion, but of justification to our brethren of Scotland, for their wars, or for taking up weapons against his instruments; then I cannot see wherein, or how our defensive arms should so much differ from theirs that they, in so doing, should be loyal subjects, and we disloyal traitors.

Answ. 4. Fourthly, A necessary war must needs be lawful; for the power and force of necessity is such, that it justifieth actions, otherwise unwarrantable. The transcendent ἀρχὴ of all politicks, or the law paramount, which gives law to all human laws whatsoever, is, *salus populi*, The safety of the people; and this supreme law of nations, *salus populi*, hath its immediate rise from the law of nature, which teacheth every worm, much more a man, and most of all a whole nation, to provide for its safety, in time of necessity. It is not always lawful for us to kill those, who stand at our doors, or who would keep us from coming out of our doors; but if our houses be blocked up, and we so hindered from commerce with others, or from seeking relief, for the sustentation of our own lives, that we, and ours, are in danger to

famish ; it is lawful, then, to issue forth, with the forces we can make, to fight ourselves free : How much more lawful, then, is it to fight for the liberty and preservation of a church and state ? It seems evident by the clearest beams of human reason, and the strongest inclinations of nature, that every private person may defend himself, if unjustly assaulted, yea, even against a magistrate, or his own father, when he hath no way to escape by flight : Much more lawful then is it, for a whole nation, to defend themselves against such assassins, as labour to destroy them, though the King will not allow them defence. Let us consider the miseries, and heavy burthens, which we must lie under, if we undertake not this defensive war, and that will shew us the necessity thereof. Now, the evils, which we are in danger of, are of that nature, that if they should fall upon us, which the Lord in mercy forbid, we would think, that it were better for us to have no being, than such a miserable being. The present case seems to many, who see thoroughly into things, to be three-fold, viz.

1. Whether popery, or protestantism ? And this doubt arises, from the king's assistants and agents, in his designs ; or some who are in near trust, and of great power with his majesty, who, for the most part, are either of no religion, or of any religion, or of the popish religion, or popishly inclined and affected. And,

2. Whether slavery, or liberty ? And this doubt arises from the doctrines, counsels, and persuasions of those about the king, who persuade him, that it is lawful for him to do what he list. And,

3. Whether estates, or none ? And this doubt arises from some speeches, fallen from some in place and authority : That all we have is the king's ; that, when there is necessity, he may command of, or take from us, what he pleases ; and that he alone is the sole judge of this necessity. The case being thus with us, it seems unnatural, that any nation should be bound to contribute its own inherent puissance, merely to abet tyranny, and support slavery : That is, to fight themselves slaves, or to afford aid, assistance, and succour, either with persons or purses, to those who desire and endeavour to introduce popery and heresy into their church, and to bring themselves into such slavery and bondage, that they may tyrannise over them, at pleasure. And thus the necessity of this war shews the lawfulness thereof.

Fifthly, Defensive wars are always held lawful : Now the nature and quality of our war is defensive, and so the more justifiable. For,

1. The king's majesty, misled by malignants, and malevolent persons, made preparations for war, before any such thing was thought upon by the parliament. And,

2. We intend not the hurt of others, but our own peace and preservation ; the design being but to suppress riots, to keep the peace, and to bring delinquents to a fair, just, and legal trial. And,

3. Our arms will be laid down, as soon as we are assured of a firm peace, and to be ruled, as becometh a free people, who are not born slaves.

Sixthly, We may guess at the nature of this defensive war, by divers particulars ; as namely,

First, By the persons, against whom this design is undertaken, which is not the king, as was proved before, and shall be further enlarged by and by ; but the malignants of the kingdom, which we labour to suppress, and to bring to punishment in a legal way. We go against the troublers of Israel, the firebrands of hell, the Korahs, Balaams, Doegs, Rabshakas, Hamans, Tobiahs, and Sanballats of our time. And,

Secondly, By the persons most favouring and furthering of this defensive war, who are, in every place, those who stand most cordially affected to the good of the commonwealth, and most sincerely addicted to the purity of the church, and the intire profession and practice of religion. And,

Thirdly, By the mercy and favour of God, towards the parliament, the principal agents and authors of this design. If we consider,

1. How the Lord preserved their persons, from the malicious intentions of the cavaliers, when they went to the very door of the house. And,

2. How he discovered the plots and practices which were intended for the bringing up of the army out of the north against them. And,

3. How he directed them, in their settling of Hull, the militia and navy, when things were almost come to their height. And,

4. How he hath, from time to time, and still doth encourage them with, or by the love, loyalty, fidelity, faith, and firm resolutions of the most part of all counties, to stand and fall, live and die with them. And,

5. How, hitherto, he hath extraordinarily turned all the plots of their enemies, against themselves, and produced effects quite contrary to those they intended, and frustrated all their hopes.

If, I say, we consider these things, we cannot but say of the parliament-house, and parliament-men : Surely God is in this place, and in the midst of you, and present with you, and president amongst you ; and we confidently hope, that the Lord will preserve and keep you, and finish the work he hath begun by you, to your comfort, his glory, and our good. And,

Fourthly, We may guess at the goodness of the design, by the time, when it was undertaken ; for it was not begun, until all other means failed ; and therefore may be called, *ultimum et unicum remedium*, the last and only means left. The old rule was observed by them, *Non recurrendum est ad extraordinaria, in iis quæ fieri possunt per ordinaria* ; they tried all fair and ordinary means, and never had recourse to extraordinary and extreme courses, until no other would prevail. We and they have again and again petitioned the king, but cannot prevail ; and therefore, all other politick means failing us, we ought generally (seeing the misery which is threatened is general) to join heads, hearts, hands,

and estates together, to fight for our king, country, parliament, selves, religion, laws, liberties, lives, and all that is ours, because now all is at stake. And,

Lastly, We may clearly see the lawfulness of this defensive war, if we but look upon the causes and ends thereof, which are many, as namely,

1. The glory of God.
2. The good of the church.
3. The propagation of the gospel.
4. The peace of the kingdom.
5. The prosperity of the commonwealth.
6. The maintenance of the king's honour, authority, and person, in his royal dignity.
7. The liberties and immunities of the commons.
8. The preservation of the representative body of the realm.
9. The privileges of parliament.
10. The laws of the land: and,
11. The free course of justice.

But I will reduce all these to four heads; to wit, God's glory, the king's honour, the parliament's safety, and the kingdom's preservation.

First, This defensive war is undertaken by the parliament for God's glory, and the maintenance of true religion. Now we may, yea ought to fight, to maintain the purity and substance of religion, that it may neither be changed into the ceremonious formalities of popery, nor our consciences brought into the subjection of Romish and antichristian slavery.

Secondly, This defensive war is undertaken by the parliament for the king's honour and safety. Now we are bound, by the duty of allegiance, to defend and maintain the king's person, honour, and estate; and therefore,

1. It is our duty to labour, by all lawful means, to free his person from those assassins, who violently, by their wicked counsel, assistance, and persuasion, carry him upon his own danger, and the destruction of his liege and most loyal subjects. And,

2. It is our duty to labour to maintain the king's honour; and therefore, when he is over-ruled by those, who, through their subtlety, work so upon his mild and pliant temper, that they make him appear to his subjects, yea foreign nations, to be a defender of delinquents, and evil counsellors, against his loving subjects and loyal parliament, which tends infinitely to his dishonour; it is then our duty to labour to unwind and disentangle him from their practices, or, by force, pluck away their persons from about him. And,

3. It is our duty to maintain his majesty's estate. Now, as the Lord Burleigh would often say to Queen Elisabeth, Madam, get but your subjects hearts, and you need not fear their purses; so I may say, that

the love and affection of the king's subjects (which his parliament labours to enrich him withal, and to possess him of) will be more advantageous unto him for matter of state, than all the prerogatives and privileges, which his obscure counsellors persuade, and endeavour so much for, against the will and welfare of his people. And if we compare our Queen Elisabeth (who would have nothing, but by, and from the parliament, with the love and affection of her people) with the King of Spain, who, by an arbitrary power, tyranniseth over his subjects, we shall then see, as clear as the sun, that where princes, by joining with parliaments, labour to unite the hearts and affections of their people unto them, their riches abound more, both with prince and people, than in those kingdoms where all cruel courses are taken by the king to impoverish the commons.

Thirdly, This defensive war is undertaken by us, at the parliament's command, for their safety. Now, both reason and religion will teach us, that if our pious parliament, and the sage senate, for the maintaining of our lives, liberties, and laws, and in, or for opposing of itself, not against the king's person, honour, or estate, but against his affections misled by evil counsellors, shall be exposed to danger, dissolution, or death; then it is our duty, by defensive war, to withstand that power, or force, which is levied against them.

Fourthly, This military design is undertaken for the kingdom's preservation. Now both the laws of God and man (as is, against all contradiction, proved in the treatise, called 'A sovereign antidote to prevent and appease our civil wars') will bear us out, for taking up defensive arms for the safety of our kingdom and commonwealth. That is, if we see endeavours and designs a-foot, for the reducing of the government of this kingdom to the condition of those countries, which are not governed by parliaments and established laws, but by the will of the prince and his favourites; then it is lawful for us to assist the representative body of the land, whom we intrust with our laws and liberties, against those who resist and oppose them, that they may the more easily prevail against, and make good their designs upon us.

And therefore, although we will never cease to sue unto the king, and humbly to supplicate the King of kings for peace and unity, yet, if we cannot obtain it, without the dishonour of God, the loss of our religion, privileges, liberties, and laws, the endangering, yea exposing of our most faithful parliament to imminent peril, and the hazard of his majesty's person, honour, and estate; we may then, with the peace of God, his holy angels, and of our own consciences, take up arms in the defence of all these.

AN HUMBLE DECLARATION
OF THE
APPRENTICES AND OTHER YOUNG MEN
OF THE
CITY OF LONDON,
WHO WERE PETITIONERS FOR PEACE;

Shewing the causes of their petitioning, and the passages concerning it.

Together with a true copy of their petition, as it was delivered to both houses of parliament, disclaiming those in print, which were without their knowledge.

Nulla Salus Bello, Pacem te poscimus omnes.

Printed at London, 1642. Folio, containing eight pages.

WE the apprentices, and other young men, in and about the City of London, having lately engaged ourselves in a petition for peace, and thereunto subscribed, do now, for the satisfaction of all, who are desirous for peace, and to be informed of the truth of our proceedings, as also for the clearing ourselves from those malicious calumnies, that either are, or shall be cast upon us; humbly and truly inform, and declare to all the world, that that which first gave life, and quickening to our undertaking of this petition, was the glory of God, and the peace and happiness of our king, parliament, and kingdom, and for no by-respect, or ill design whatsoever.

The contents of which petition follow, *verbatim*, viz.

To the right honourable the Lords and Commons, in the high court of parliament now assembled.

The humble petition of divers apprentices, and other young men, in and about the City of London,

In most humble manner sheweth,

THAT your former gracious acceptation of petitions from persons of as mean quality as ourselves, your late kind embracement of that petition from our masters, and others of eminent quality; together with your constant endeavours for a pacification, for which we present our hum-

ble thanks; hath concited us, though, in regard of our present condition, not so much considerable, to address ourselves also, in all humility, to this honourable assembly, whom we conceive the only means, under God, for our redress, beseeching you to persist, as you have honourably begun, in working a period of these ruining distractions.

And though the present calamity doth not so immediately reflect upon your petitioners: Yet we, considering the loss of so many of our fellows lives, the daily hazard the rest are exposed to, and foreseeing the face of our own ruin, in our masters present condition, as also prizing our parents' and friends' lives, and livelihoods, as dearly as our own, hold ourselves engaged by the laws of conscience and nature, to be no less solicitous, for the bleeding condition of this church and state; in regard, though servants, we are subjects, and humbly conceive ourselves to be concerned herein.

We come, therefore, in the still voice, to embowel our grievances and zealous desires before you; not presuming to dictate to your grave judgments, but humbly desiring you to pardon our boldness, in petitioning, and the errors of our petition, if any be:

And unanimously beseech you to consider these present distractions, the continual and increasing violations of our religion by papists and sectaries, the breach of our known laws, the invasion of the subjects liberties, and general decay of trade.

Reflecting also, with serious thoughts, upon these inevitable dangers, that now hover over our heads, ushered in by a civil, unnatural, and bloody war, whose effects are the impartial destruction of christians, the effusion of much innocent blood, the impoverishing and dispeopling of the kingdom, and exposing the body of the state, to the merciless tyranny of famine, sickness, and invasion, the fore-runners of an universal confusion:

All which, better known to your apprehensions, we humbly desire you to ponder, and to prosecute your pious intentions for peace; leaving no just way unattempted which may conduce to the settlement of these differences, that the undiscerning sword be not umpire to decide controversies, of so near concernment; neither give audience to any incendiaries of this present war, whose only aim, we fear, is to prey upon the lives and livings of his majesty's loyal subjects; that the gospel of peace need not be maintained by war; but that the cemented joints of the church and state may hold firm the bond of unity, to the glory of God, the good of his majesty, the preservation of parliaments, the only happiness of this kingdom, and enablement for a supply, for the necessities of our distressed brethren in Ireland.

And your petitioners, as in all duty bound, shall daily pray for a blessing upon your consultations.

To which we have subscribed our hands and hearts, each ready to sacrifice his life for accomplishment thereof.

Of which petition we dispersed several copies, for no other cause, but

to procure subscriptions, with the more convenience. But, by what means we know not, there was a very false copy printed, and intitled ours, but so different from the true petition, both in matter and expressions, that, had it not been for the title, we could not believe it had at all concerned us.

This, we conceive, was a great wrong to us, and did indeed discourage some of us, from our intended presenting of our petition. But yet, at last, we poising both, preferred the glory of God, and peace of this church and state, before any thing that might discourage or dishearten us.

Whereupon all agreed upon Monday, January the second, for our day of delivery, and accordingly set forth notes, desiring all the subscribers to meet at the piazza's in Covent-garden, in compleat civil habit, without swords or staves: Upon which day, and at which place, there met a very considerable number of us, and, which in modesty we would not say of ourselves, but that we are scandalously and falsly traduced by others, did demean, and behave ourselves very civil and orderly.

But it fell out, that without our knowledge or consent, there thrust in amongst us a papist, which we being informed of, presently expelled him our company, to avoid all cause of scandal upon our intentions.

After this comes one, and began to sing a ballad in dishonour to the parliament, but we presently discarded him also, with manifest expression of our great dislike of his doings.

This done, a lieutenant to a troop of horse came to us, to know the intent of our appearance, being before informed, as he told us, that we had pistols about us, which was altogether false.

And then at the appointed time we repaired to Westminster, into the palace-yard, and were presently called before Captain Harvey, who attended there with his troop, and by him, after some small discourse between us, twenty of us were admitted to the house of lords; the rest, by his direction, immediately, and quietly, retreated to Whitehall gate, waiting the return of their fellows.

We, coming to the house, were bold to acquaint the ever honoured Earl of Pembroke with our desires, who was pleased to impart them to the house: But by reason of a conference of both houses, as we conceive, the lords sent us a note, by Mr. Maxwell, to this effect:

‘The Lords have formerly expressed their dislike of coming in multitudes to the parliament, and they take notice of a great multitude that came, this morning, towards the parliament: Which manner of coming with petitions, they are yet unsatisfied withal. But, if you will chuse a few of you, and come some other day, they will receive your petition.’

Upon this, in obedience to their lordships directions, we for that time departed, having appointed twenty of us to deliver our petition on the next day; but we retiring homewards, it was told us, that some of our company tarried at Whitehall gate, and stopped some of the lords

coaches, crying for peace; upon this we wrote a note to Captain Harvey, subscribed by the twenty deliverers, and by three of them delivered to him, wherein we expressed our thanks for his courtesy shewed to us: And that we were informed, that divers, who pretended to be of our mind, tarried behind, we know not for what design, and that, if they did any action which was unlawful, we disclaimed it; desiring to steer all our actions by the known laws of God and man; and therefore, if any thing were done to the contrary, we desired it might be suppressed, and that it might not be a scandal to our intentions, nor a hinderance to the answer of our petition.

Which we presented to the captain, who did accept it, and approve of our carriage, and behaviour therein.

This was the passage of that day.

On Tuesday, the twenty appointed to deliver the petition met, and went to the house with it, and while they were waiting at the door for admittance, there was one in a minister's habit, did with much boldness and confidence, but withal, as falsly and causelesly, affirm to some lords of the house, that we intended to plunder houses in Covent-garden, and that some of our company motioned it; which seemed very strange to us, knowing it to be altogether false. But yet upon some examination of the matter, it fell out, that some such words had fallen from a soldier, not of our company, perhaps incited to it, who, as we are credibly informed, is now in custody for it. And the informer hereof, being convinced by his own conscience, and our arguments, did at last recant it, and desire our favourable opinion of him.

Some other false suggestions were urged against us, and our petition, by some either mis-informed, or ill-affected persons. But it pleased God to make them appear, to the honourable house, to be false and frivolous.

But after all these winds and storms, came a still voice, and gave us admittance to the lords, who being entered, delivered our petition. And the Earl of Manchester declared to us, that the house was content to accept of our petition, and that they would give us their answer in due time.

From thence we went to the honourable house of commons, where we found a most ready, and favourable, and for aught we could conceive, a general consent to accept of our petition. And after reading thereof Mr. Speaker did declare, That the pleasure of the house was to accept our petition, and that they would take it into their serious consideration.

We returned our humble thanks, and departed.

We desire now to clear ourselves from many false aspersions that are cast upon us. Concerning the matter of our petition, it being in substance for nothing but peace, and aiming at the advancement of God's glory, and the quiet of the church and state, it is, we conceive, good and lawful, yet there want not those who speak against the very subject of it, peace. But we wonder not much at them, they being such as are made compleat soldiers on the sudden, and suck their whole subsistence, and fix their hopes to repair their breaches and decays, upon the ruin of others; fearing that the settling of our trades will be

the decay of theirs. And to leave nothing unattempted which may discourage us, and others, from prosecuting hereof, they have studied new sophistry, to prove peace to be no peace; and under pretence, that we *peace-petitioners*, as they mockingly call us, do oppose truth, they do indeed beat down both. Whereas any man, that is not purblind with prejudice and faction, may discern that the parliament, the supreme court of judicature, and center of wisdom and piety, will never consent to a peace, that shall war with truth, they being twins of the commonwealth, and inseparable. And we should argue ourselves very unadvised, which therein we hope we are not, to petition for a thing, which no colour of reason tells us we shall obtain.

And for those compleat soldiers, whose very prayers, if they use any, are but alarms to battle, they must give us leave, though, we hope, not without ground, as they do, to pass our censure upon them, and therefore we are bold to tell them, we think they lay their foundation for war, on these two grounds, which they make use of for reasons, *Dulce bellum inexpertis, et dulce lucrum expertis*. But the time may come, that they may find it better to hearken to the blessed accents of peace, than to have bullets whisper destruction in their ears.

And, though we for several considerations were not, or not suffered to be, of that number, who have exposed their persons to the fury of war, yet, as they bleed outwardly, we bleed within for the distempers of this church and state; and, to shew our ardent zeal for the good of both, we dare banish his soul, whose blood shares of so much cowardice, to retreat at the thought of death, if it might conduce to a happy union of the King and parliament, and the welfare of this late flourishing nation.

Concerning our manner of delivery of our petition, it was generally conceived to be, as we hope, civil, humble, and warrantable; striving, what in us lay, the appearance of tumults, mutinies, force, or violence, habiting ourselves with no weapons offensive or defensive, but our innocence, and the uprightness of our designs, that all occasion of offence might be taken off.

Our number is not certainly known to us, but, though great, it is warranted, as we under correction conceive, both by precept and precedent. The honourable Mr. Nathaniel Fynes, upon the like occasion, having delivered, in answer to the Lord Digby's speech, That a multitude, being grieved, may petition, and that it is fit for all subscribers to be present, lest their hands be supposed counterfeit. And the lords and commons were pleased to declare, in their remonstrance of the nineteenth of May, That the number makes not an assembly unlawful, but when the end or manner of their carriage makes it so; and that they knew no reason, why it should be more faulty in the citizens to come to the parliament, than the resort of great numbers every day in the term, to the ordinary courts of justice.

We confess, as some have objected, there are some clerks and journeymen amongst us, but, being young men, they come under the name of petitioners. Besides, the one being generally scholars, and seen in the laws, giving great sums of money to their masters, and men's sons of good rank, and living by peace, and the other waiting for peace,

being newly come to provide for themselves, we conceive are as much concerned herein as the rest.

Nor are we of the ribaldry of the city (as some blackmouths have uncharitably belched out against us) yet, in such a multitude, the city being exhausted of many of our fellows, it is not to be expected that all should be wise, learned, nor rich; nor can we see any reason why a poor or illiterate man, being injured, should not seek for redress of his grievances, as well as a rich or learned.

And, though a multitude, we humbly conceive ourselves no tumults. As for that miscarriage at Whitehall gate, if any were, tho' greater have been than that is reported to be: We gave no direction for doing it, nor do we commend, must less justify it. But, however, we hope, that particular crimes shall not be imputed to a general cause, nor hinder a general good: Nor if the major part of them, that accompanied us, had committed any outrages, in regard they had divested themselves of their power, and laid it on the twenty, who are the representative body of the petitioners, it would be but hard justice to make them liable to the offences of others, nor ought it to be, we hope, at least, in a candid, or but indifferent construction, a scandal upon the petitioners, or crime upon the petition.

Concerning our preposterous delivery of the petitions, we desire the houses favourable construction; for, in that we presented it first to the house of lords, it was not for want of due honour or respect to the house of commons, but our want of experience in parliament-courses; which we hope may satisfy that honourable house.

All which we thought good to declare, that the world may know, that endeavouring for peace is a work acceptable, we hope, to God, his Majesty, the parliament, and kingdom; though, we believe, some, not altogether for a good conscience's sake, do oppose us. But we esteem their words as no slander, because they are nothing else: And, that posterity may know, that we, by seeking peace, are servants, as to private and particular men, so to the general and publick good.

A SHORT VIEW OF THE LIFE AND DEATH OF GEORGE VILLIERS, DUKE OF BUCKINGHAM.

Written by Sir Henry Wotton, Knight, late Provost of Eaton College.

London, Printed for William Sheares, 1642. Quarto, containing thirty pages.

I DETERMINE to write the life, and the end, the nature, and the fortunes of George Villiers, late Duke of Buckingham, which yet I have not undertaken out of any wanton pleasure in mine own pen; nor,

truly, without often pondering with myself before-hand what censures I might incur; for I would not be ignorant, by long observation, both abroad and at home, that every where all greatness of power and favour is circumvested with much prejudice. And that it is not easy for writers to research with due distinction, as they ought, in the actions of eminent personages, both how much many have been blemished by the envy of others, and what was corrupted by their own felicity, unless, after the period of their splendor, which must needs dazzle their beholders, and, perhaps, oftentimes themselves, we could, as in some scenes of the fabulous age, excite them again, and confer a while with their naked ghosts. However, for my part, I have no servile or ignoble end in my present labour, which may, on either side, restrain or embase the freedom of my poor judgment; I will, therefore steer as evenly as I can, and deduce him from his cradle through the deep and lubrick ways of state and court, till he was swallowed in the gulf of fatality.

I find him born in the year of our Saviour, 1592, on the 28th of August, at Brooksby in Leicestershire, where his ancestors had chiefly continued about the space of four-hundred years, rather without obscurity, than with any great lustre, after they had long before been seated in Kinalton in the county of Nottingham; he was the third son of George Villiers, knight, and Mary, late Countess of Buckingham, and daughter to Anthony Beaumont, of Coleorton, Esq; names on either side well known of ancient extraction. And yet I remember there was one, who, in a wild pamphlet which he published, besides other pitiful malignities, would scarce allow him to be a gentleman. He was nurtured, where he had been born, in his first rudiments, till the years of ten; and, from thence, sent to Billisden school in the same county, where he was taught the principles of musick, and other slight literature, till the thirteenth of his age, at which time his father died. Then his beautiful and provident mother, for those attributes will not be denied her, took him home to her house at Goodby, where she had him in especial care; so as he was first, as we may say, domestick favourite: But finding him, as it should seem, by nature, little studious and contemplative, she chose rather to endue him with conversative qualities and ornaments of youth, as dancing, fencing, and the like; not, without perchance, even then, though far off, at a courtier's life: To which lessons he had such a dexterous proclivity, as his teachers were fain to restrain his forwardness, to the end that his brothers, who were under the same training, might hold pace with him. About the age of eighteen he travelled into France, where he improved himself well in the language, for one that had so little grammatical foundation, but more in the exercises of that nobility, for the space of three years; and yet came home in his natural plight, without affected forms, the ordinary disease of travellers. After his return, he passed again one whole year, as before, at Goodby, under the wing and counsels of his mother; and then was forward to become a suitor, at London, to Sir Roger Ashton's daughter, a gentleman of the bed-chamber to King James, and master of his robes; about which time, he falls into intrinsical society with Sir John Graham, then one of the

gentlemen of his Majesty's privy-chamber; who, I know not upon what luminaries he espied in his face, dissuaded him from marriage, and gave him rather encouragement to woo fortune in court, which advice sunk well into his fancy; for, within a while, the King had taken, by certain glances (whereof the first was at Apthorpe in a progress) such liking of his person, that he resolved to make him a master-piece, and to mould him, as it were, platonically to his own idea. Neither was his Majesty content only to be the architect of his fortune, without putting his gracious hand likewise to some part of the work itself: Insomuch as it pleased him to descend and to veil his goodness, even to the giving of his aforesaid friend, Sir John Graham, secret directions how, and by what degrees, he should bring him into favour. But this was quickly discovered by him, who was then, as yet, in some possession of the King's heart. For there is nothing more vigilant, nothing more jealous, than a favourite, especially towards the waning-time and suspicion of satiety, so as many arts were used to discuss the beginnings of new affliction (which lie out of my road, being a part of another man's story.) All which notwithstanding, for I omit things intervenient, there is conveyed to Mr. Villiers an intimation of the King's pleasure to wait, and to be sworn his servant: And, shortly after, his cup-bearer at large; and, the summer following, he was admitted in ordinary. After which time favours came thick upon him (liker main showers, than sprinkling drops or dews) for, the next St. George's Day, he was knighted, and made gentleman of the King's bed-chamber; and, the very same day, had an annual pension given him, for his better support, of one-thousand pounds out of the Court of wards. At New Year's-tide following, the King chose him master of the horse. After this, he was installed of the most noble order. And, in the next August, he created him Baron of Whaddon, and Viscount Villiers. In January of the same year, he was advanced Earl of Buckingham, and sworn here of his Majesty's privy-council, as if a favourite was not so before; the March ensuing, he attended the King into Scotland, and was likewise sworn a counsellor in that kingdom, where (as I have been instructed by unpassionate men) he did carry himself with singular sweetness and temper, which I held very credible, for it behoved him, being new in favour, and succeeding one of their own, to study a moderate stile amongst those generous spirits. About New-year's-tide, after his return from thence (for those beginnings of years were very propitious unto him, as if Kings did choose remarkable days to inaugurate their favours, that they may appear acts as well of the times, as of the will) he was created Marquis of Buckingham, and made lord admiral of England, chief justice in Eyre of all the parks and forests on the south-side of Trent, master of the King's Bench office (none of the unprofitablest places), head steward of Westminster, and constable of Windsor castle.

Here I must breathe a while, to satisfy some that, perhaps, might otherwise wonder at such an accumulation of benefits, like a kind of embroidering, or listing of one favour upon another. Certainly the hearts of great princes, if they be considered, as it were, in abstract, without the necessity of states and circumstances of time, being besides

their natural extent; moreover, once opened and dilated with affection, can take no full and proportionate pleasure in the exercise of any narrow bounty. And, altho' at first they give only upon choice and love of the person, yet, within a while, themselves likewise begin to love their givings, and to foment their deeds, no less than parents do their children; but let us go on.

For these offices and dignities already rehearsed, and these of the like nature, which I shall after set down in their place, were, as I am ready to say, but the facings or fringes of his greatness, in comparison of that trust, which his last most gracious master did cast upon him, in the one and twentieth year of his reign, when he made him the chief concômitant of his heir apparent, and only son, our dear sovereign: Now being in a journey of much adventure, and which, to shew the strength of his privacy, had been before not communicated with any other of his Majesty's most reserved counsellors at home, being carried with great closeness, liker a business of love than state; as it was in the first intendment. Now, because the whole kingdom stood in a zealous trepidation of the absence of such a prince, I have been the more desirous to research, with some diligence, the several passages of the said journey, and the particular accidents of any moment in their way. They began their motion in the year 1623, on Tuesday, the eighteenth of February, from the Marquis's house of late purchase, at Newhall in Essex; setting out with disguised beards, and with borrowed names of Thomas and John Smith; and then attended with none, but Sir Richard Graham, master of the horse to the Marquis, and of inward trust about him. When they passed the river against Gravesend, for lack of silver they were fain to give the ferry-man a piece of two and twenty shillings, which struck the poor fellow into such a melting tenderness, that so good gentlemen should be going, for so he suspected, about some quarrel beyond sea, as he could not forbear to acquaint the officers of the town, with what had befallen him, who sent presently post for their stay at Rochester, through which they were passed before any intelligence could arrive. On the brow of the hill beyond that city, they were somewhat perplexed, by espying the French ambassador, with the King's coach and others attending him; which made them baulk the beaten road, and teach post-hacknies to leap hedges. At Canterbury, whether some voice, as it should seem, was run on before, the Mayor of the town came himself to seize on them, as they were taking fresh horses, in a blunt manner, alledging first a warrant to stop them from the council, next from Sir Lewis Lewkner, master of the ceremonies, and lastly, from Sir Henry Manwaring, then lieutenant of Dover castle. At all which confused fiction, the Marquis had no leisure to laugh, but thought best to disarm his beard, and so told him, that he was going covertly with such slight company, to take a secret view (being admiral) of the forwardness of his Majesty's fleet, which was then in preparation on the narrow seas: This, with much a-do, did somewhat handsomely heal the disguisement. On the way afterwards, the baggage post-boy, who had been at court, got, I know not how, a glimmering who they were; but his mouth was easily shut. To Dover, through bad horses, and those pretty impediments, they came

not before six at night; where they found Sir Francis Cottington, then secretary to the prince, now Baron of Hanwart, and Mr. Endimion Porter, who had been sent before, to provide a vessel for their transportation. The foresaid Knight was enjoined, for the nearness of his place, on the prince's affairs, and for his long residence in the court of Spain, where he had gotten singular credit, even with that cautious nation, by the temper of his carriage. Mr. Porter was taken in, not only as a bed-chamber servant of confidence to his highness, but likewise as a necessary and useful instrument for his natural skill in the Spanish tongue. And these five were, at the first, the whole parade of this journey. The next morning, for the night was tempestuous, on the sixteenth of the foresaid month, taking ship at Dover, about six o'clock, they landed the same day at Boulogne in France, near two hours after noon; reaching Monstreuel that night, like men of dispatch; and Paris the second day after, being Friday the twenty-first; but about three posts before, they had met with two German gentlemen, that came newly from England, where they had seen at Newmarket the prince and the marquis taking coach together with the King, and retained such a strong impression of them, that they now bewrayed some knowledge of their persons; but were out-faced by Sir Richard Graham, who would needs persuade them they were mistaken, which in truth is no very hard matter; for the very strangeness of the thing itself, and almost the impossibility to conceive so great a prince, and favourite, so suddenly metamorphosed into travellers, with no greater train, was enough to make any man living unbelieve his five senses. And this I suppose, next the assurance of their own well resolved carriage, against any new accident, to have been their best anchor, in all such encounters. At Paris the prince spent one whole day, to give his mind some contentment, in viewing of a famous city and court, which was a neighbour to his future estates; but for the better veiling of their visages, his highness, and the marquiss, bought each of them a perriwig, somewhat to overshadow their foreheads. Of the King they had got sight, after dinner, in a gallery where he was solacing himself with familiar pleasures. And of the queen's mother, as she was at her own table; in neither place descried, no not by Mons. Cadinet, who saw them in both, one that hath been lately ambassador in England. Towards evening, by a mere chance, in appearance, though underlined with a providence, they had a full sight of the Queen Infanta, and of the Princess Henrietta Maria, with other great ladies, at the practice of a masquing dance, which was then in preparation; having over-heard two gentlemen, who were tending towards that sight, after whom they pressed, and were let in by the Duke de Mont Bason, the Queen's lord chamberlain, out of humanity to strangers, when divers of the French went by. Note here, even with a point of a diamond, by what oblique steps and imaginable preparatives, the high disposer of princes affections sometimes contrives the secrets of his will; for by this casual curiosity it fell out, that when afterwards the marriage came in motion, between our sovereign lord and the aforesaid most amiable princess, it must needs be, howsoever unknown, no small spur to

the treaty, that she hath not before been altogether a stranger to his eye.

From the next day, when they departed at three o'clock in the morning, from Paris, being the twenty-third of February, were spent six days to Bayonne, the last town of France, having before, at Bourdeaux, bought them five riding-coats, all of one colour and fashion in a kind of noble simplicity, where Sir Francis Cottington was employed, in a fair manner, to keep them from being entertained by the Duke de Espernon, telling him they were gentlemen of mean degree, and formed yet to little courtship, who, perchance, might otherwise, being himself no superficial man in the practices of the world, have pierced somewhat deeper than their outside.

They were now entered into the deep time of Lent, and could get no flesh in their inns. Whereupon fell out a pleasant passage, if I may insert it by the way among more serious: There was near Bayonne a herd of goats with their young ones, upon which sight, he said Sir Richard Graham tells the Marquis, he would snap one of the kids, and make some shift to carry him close to their lodging; which the prince over-hearing, Why, Richard, says he, do you think you may practise here your old tricks again upon the borders? Upon which words they first gave the goat-herd good contentment; and then while the marquis and his servant, being both on foot, were chasing the kid about the stack, the prince from horseback killed him in the head, with a Scottish pistol; let this serve for a journal parenthesis, which yet may shew how his highness, even in such slight and sportful damage, had a noble sense of just dealing.

At Bayonne, the Count de Gramont, governor of that jealous Kay, took an exquisite notice of their persons and behaviour, and opened himself to some of his train, that he thought them to be gentlemen of much more worth, than their habits bewrayed, yet he let them courteously pass. And, four days after, they arrived at Madrid, being Wednesday, the fifth of March. Thus have I briefly run over trans-cursions, as if my pen had been posting with them; which done, I shall not need to relate the affluence of our nobles and others from hence into Spain, after the voice of our prince's being there had been quickly noised, and at length believed; neither will I stay to consider the arts of Rome, where now all engines were whetted, though by the divine blessing very vainly, when they had gotten a prince of Great Britain, upon Catholick ground, as they use to call it.

This, and the whole matter of negotiation there, the open entertainments, the secret working, the apprehensions on both sides, the appearance on neither; and, in sum, all the circumstances and respect of religion and state, intermixed together in that commixture, will better become a royal history, or a council-table, than a single life. Yet I cannot omit some things which intervened, at the meeting of two Pleiades, methinks, not unlike that, which astrologers call, a conjunction of planets, of no very benign aspect, the one to the other; I mean the Marquis of Buckingham, and the Conde d'Olivers: They had some sharper, and some milder differences, which might easily happen, in such an intervention of grandees; both vehement on the parts which

they swayed. But the most remarkable was upon a supposition of the Condee's, as fancies are cheap, that the marquis had intimated unto her some hopes of the prince's conversion; which coming into debate, the marquis so roundly disavowed this gilded dream, as Olivers alledged he had given him *la Mentida*, and thereupon forms a compliment to the prince himself; which Buckingham denying, and ye Olivers persisting in the said compliment, the marquis, though now in strange hands, yet seeing both his honour and the truth at stake, was not tender likewise to engage his life, but replied with some heat, that the Condee's asseveration, would force him to do that which he had not done before, for now he held himself tied, in terms of a gentleman, to maintain the contrary to his affirmative, in any sort whatsoever. This was the highest and the harshest point that occurred between them; which that it went so far, was not the Duke's fault, nor his fault, neither, as it should seem, that it went no farther.

There was another memorable passage one day of gentler quality, and yet eager enough: The Conde d'Olivers tells the marquis of a certain flying noise, that the prince did plot to be secretly gone. To which the marquis gave a well-tempered answer: That, though love had made his highness steal out of his own country, yet fear would never make him run out of Spain, in other manner than should become a prince of his royal and generous virtues. In Spain they staid near eight intire months; during all which time, who but Buckingham lay at home under millions of maledictions? Which yet, at the prince's safe arrival in the west, did die and vanish here and there into praises and eulogies, according to the contrary motion of popular waves. And now, to sum up the fruit of the journey, discourses ran thus among the clearest observers: It was said, that the prince himself, without any imaginable stain of his religion, had, by the sight of foreign courts, and observations of the different natures of people, and rules of government, much excited and awaked his spirit, and corroborated his judgment. And, as for the marquis, there was notice taken of two great additions which he had gained: First, he was returned with increase of title, having there been made Duke, by patent sent him, which was the highest degree whereof an English subject could be capable. But the other was far greater, though closer; for, by so long, and so private, and so various consociation with a prince of such excellent nature, he had now gotten, as it were, two lives in his own fortune and greatness, whereas, otherwise, the state of a favourite is at the best but a tenant at will, and rarely transmitted. But, concerning the Spanish commission, which in publick conceit was the main scope of the journey, that was left in great suspense, and, after some time, utterly laid aside; which threw the Duke amongst free wits (whereof we have a rank soil) under divers censures. The most part were apt to believe, that he had brought down some deep distaste from Spain, which exasperated his counsels; neither were there wanting some others, that thought him not altogether void of a little ambition to shew his power, either to knit, or dissolve. Howsoever, the whole scene of affairs was changed from Spain to France; there now lay the prospective; which alteration being generally liked, and all alterations

of state being ever attributed to the powerfulllest under princes (as the manner is, where the eminency of one obscureth the rest) the duke became suddenly and strangely gracious among the multitude, and was even in parliament highly exalted; so that he did seem, for a time, to have overcome that natural incompatibility, which, in the experience of all ages, hath been noted between the vulgar and sovereign favour: But this was no more than a mere bubble or blast, and like an ephemeral fit of applause, as shortly will appear in the sequel and train of his life. I had almost forgotten, that, after his return from Spain, he was made lord-warden of the Cinque-Ports (which is, as it were, a second admiralty) and steward likewise of the manor of Hampton-Court, dignities and offices still growing, of trust or profit, and the king now giving, not only out of a beneficent disposition, but a very habitual and confirmed custom. One year, six months, and two days after the joyful reception of the prince his son from Spain, King James, of immortal memory among all the lovers and admirers of divine and human sapience, accomplished at Theobalds his own days upon earth; under whom the duke had run a long course of calm and smooth prosperity; I mean long for the ordinary life of favour, and the more notable, because it had been without any visible eclipse or wane in himself, amidst divers variations in others.

The most important and pressing care of a new and vigorous King was his marriage, for mediate establishment of the royal line; wherein the Duke having had an especial hand, he was sent to conduct hither the most lovely and virtuous princess Henrietta Maria, youngest daughter to the great Henry of Bourbon, of whom his Majesty, as hath been said, had an ambulatory view in his travels, like a stolen taste of something that provoketh appetite. He was accompanied with none of our peers, but the Earl of Montgomery, now lord chamberlain, a noble gentleman, of trusty, free, and open nature, and truly no unsuitable associate, for that he himself likewise, at the beginning of King James's reign, had run his circle in the wheeling vicissitude of favour.

And here I must crave leave, in such of high quality, or others of particular note, as shall fall under my pen (whereof this is the first) not to let them pass, without their due character, being part of my professed ingenuity.

Now this embassy, though it had a private shew, being charged with more formality than matter (for all the essential conditions were before concluded) could, howsoever, want no ornaments or bravery to adorn it: among which, I am near thinking it worthy of a little remembrance, that the Duke, one solemn day, gorgeously clad in a suit all over-spread with diamonds, and having lost one of good value, perchance as he might be dancing after his manner with lofty motion, it was strangely recovered again the next morning, in a court full of pages: Such a diligent attendant was fortune every-where, both abroad and at home.

After this fair discharge, all civil honours having showered on him before, there now fell out great occasions to draw forth his spirits into action, a breach first with Spain, and not long after with France itself, notwithstanding so streight an affinity so lately treated with the one, and

actually accomplished with the other; as if indeed, according to that pleasant maxim of state, kingdoms were never married. This must of necessity involve the duke in business enough to have overset a lesser vessel, being the next commander, under the crown, of ports and ships.

But he was noted willingly to embrace those overtures of publick employment; for at the parliament at Oxford, his youth and want of experience, in maritime service, had been somewhat shrewdly touched, even before the sluices and flood-gates of popular liberty were yet set open; so as, to wipe out that objection, he did now mainly attend his charge, by his majesty's untroubled and serene commands, even in a tempestuous time. Now the men fell a rubbing of armour, which a great while had lain oiled; the magazines of ammunition are viewed; the officers of remains called to account, frequent councils of war, as many private conferences with expert seamen, a fleet in preparation for some attempt upon Spain.

The duke himself personally employed to the states-general: And with him joined in full commission the Earl of Holland, a peer both of singular grace and solidity, and of all sweet and serviceable vertue for publick use.

These two nobles, after a dangerous passage from Harwich, wherein three of their ships were foundered, arrived the fifth day at the Hague in Holland; here they were to enter a treaty, both with the states themselves, and with the ministers of divers allied and confederate princes, about a common diversion, for the recovery of the Palatinate, where the king's only sister's dowry had been ravished by the German eagle, mixed with Spanish feathers; a princess resplendent in darkness, and whose virtues were borne within the chance, but without the power of fortune. Here, it were injurious to overslip a noble act in the duke, during this employment, which I must, for my part, celebrate above all his expences; there was a collection of certain rare manuscripts, exquisitely written in Arabick, and sought in the most remote parts, by the diligence of Erpenius, the most excellent linguist; these had been left to the widow of the said Erpenius, and were upon sale to the Jesuits at Antwerp, licorish chapmen of such ware. Whereof the duke getting knowledge, by his worthy and learned secretary, Dr. Mason, interverted the bargain, and gave the poor widow for them five hundred pounds, a sum above their weight in silver, and a mixed act, both of bounty and charity, the more laudable, being much out of his natural element. These were they, which, after his death, were as nobly presented, as they had been bought, to the university of Cambridge, by the Duchess Dowager, as soon as she understood, by the aforesaid Dr. Mason, her husband's intention, who had a purpose likewise, as I am well instructed, to raise in the said university, whereof he was chancellor, a fair case for such monuments, and to furnish it with other choice collections from all parts of his own charge, perchance in some emulation of that famous treasury of knowledge at Oxford, without parallel in the christian world. But let me resume the file of my relation, which this object of books, best agreeable to my course of life, hath a little interrupted: The aforesaid negotiation, though prosecuted

with heat and probable appearance of great effects, took up a month before the duke's return from his excentricity, for so I account favourites abroad, and then at home he met with no good news of the Cadiz attempt: In the preparation thereof, though he had spent much sollicitude, *ex officio*, yet it principally failed, as was thought, by late setting out, and by some contrariety of weather at sea; whereby the particular design took vent before-hand, a point hardly avoidable in actions of noise, especially where the great India key to all cabinets is working. Not long after this, the king, pondering in his wisdom the weight of his foreign affairs, found it fit to call a parliament at Westminster; this was that assembly, where there appeared a sudden and marvellous conversion in the duke's case, from the most exalted, as he had been, both in another parliament, and in common voice before, to the most depressed now, as if his condition had been capable of no mediocrities. And it could not but trouble him the more, by happening when he was so freshly returned out of the Low Countries, out of a meritorious employment, in his inward conceit and hope; which being the single example, that our annals have yielded, from the time of William de la Pool, Duke of Suffolk, under Henry the Sixth, of such a concurrence of two extremes, within so short time, by most of the same commenders and disprovers, like the natural breath of man, that can both heat and cool, would require no slight memorial of the particular motives of so great a change, but that the whole case was dispersed by the knights of shires, and burgesses of towns, through all the veins of the land, and may be taken by any at pleasure, out of the parliament registers: Besides that, I observe it not usual amongst the best patterns, to stuff the report of particular lives, with matters of publick record, but rather to dive, as I shall endeavour, before I wipe my pen, into secret and proper afflictions; howsoever somewhat I must note in this strange phænomenon: It began from a travelled doctor of physick, of bold spirit, and of able elocution; who, being returned one of the burgesses, which was not ordinary in any of his coat, fell by a metaphorical allusion, translated from his own faculty, to propound the duke as a main cause of divers infirmities in the state, or near that purpose; being sure enough of seconds, after the first on-set, in the lower house. As for any close intelligence, that they had before-hand, with some in the higher, though that likewise was said, I want ground to affirm or believe it more than a general conceit, which perhaps might run of the working of envy amongst those that were nearest the object, which we see so familiar, both in natural and moral causes; the duke's answers to his impeachments, in number thirteen, I find very diligently and civilly couched; and though his heart was big, yet they all savour of an humble spirit one way, equitable consideration, which could not possess every vulgar conceit, and somewhat allay the whole matter, that in the bolting and sifting of near fourteen years of such power and favour, all that came out could not be expected to be pure and white, and fine meal, but must needs have withal among it a certain mixture of padar and bran, in this lower age of human fragility; howsoever this tempest did only shake, and not rend his sails; for his majesty considering that almost all his impeachments were without the compass of his own reign;

and moreover, that nothing alledged against him had, or could be proved by oath, according to the constitution of the house of commons, which the duke himself did not forget in the preface of his answers: And lastly, having had such experience of his fidelity and observance abroad, where he was chief in trust, and in the participation of all hazards, found himself engaged in honour, and in the sense of his own natural goodness, to support him at home, from any further inquietude, and too dear buy his highest testimony of divers important imputations, whereof the truth is best known to his majesty while he was prince. The summer following this parliament, after an embark of our trading ships, in the river of Bourdeaux, and other points of sovereign affront, there did succeed the action of Rhee, wherein the duke was personally employed on either element, both as admiral and general, with hope, in that service, to recover the publick good-will, which he saw, by his own example, might quickly be won and lost. This action, as I hear, hath been delivered by a noble gentleman of much learning and active spirits, himself the fitter to do it right, which, in truth, he greatly wanted, having found more honourable censure even from some of the French writers, than it had generally amongst ourselves at home. Now, because the said work is not yet flowing into the light, I will but sweep the way with a few notes, and there only touching the duke's own deportment in that island, the proper subject of my quill; for, in the general survey of this action, there was matter of glory and grief so equally distributed on both sides, as if fortune had meant we should be quickly friends again, wherein let their names, that were bravely lost, be rather memorised in the full table of time; for my part, I love no ambitious pains in an eloquent description of miseries. The duke's carriage was surely noble throughout to the gentlemen of fair respect, bountiful to the soldier, according to any special value which he espied in any, tender and careful of those that were hurt, of unquestionable courage in himself, and rather fearful of fame, than danger. In his countenance, which is the part that all eyes interpret, no open alteration, even after the succours, which he expected, did fail him; but, the less he shewed without, the more it wrought intrinsically, according to the nature of suppressed passions: For certain it is, that to his often-mentioned secretary, Dr. Mason, whom he laid in a pallet near him, for natural ventilation of his thoughts, he would, in the absence of all other ears and eyes, break out into bitter and passionate eruptions, protesting, That never his dispatches to divers princes, nor the great business of a fleet, of an army, of a siege, of a treaty, of war, of peace, both on foot together, and all of them in his head at a time, did not so much break his repose, as a conceit, that some at home, under his majesty, of whom he had well deserved, were now content to forget him; but, whom he meant, I know not, and am loth to rove at conjectures. Of their two forts, he could not take the one, and he would not take the other; but, in the general town, he maintained a seizure and possession of the whole, three full months and eighteen days; and, at the first descent on shore, he was not immured within a wooden vessel, but he did countenance the landing in his long-boat, where succeeded such a defeat of near two-hundred horse, and these not, by his guess, mount-

ed in haste, but the most part gentlemen of family, and great resolution, seconded with two thousand foot, as, all circumstances well balanced on either side, may surely endure a comparison with any of the bravest impressions in ancient time. In the issue of the whole business, he seems charged in opinion with a kind of improvident conscience, having brought off that with him to camp, perchance, too much from a court, where fortune had never deceived him. Besides, we must consider him yet but rude in the profession of arms, though greedy of honour, and zealous in the cause. At his return to Plymouth, a strange accident befel him, perchance not so worthy of memory for itself, as for that it seemeth to have been a kind of a prelude to his final period.

The now Lord Goring, a gentleman of true honour, and of vigilant affections for his friend, sends to the duke, in all expedition, an express messenger, with advisement to assure his own person, by declining the ordinary road to London, for that he had credible intelligence of a plot against his life to be put in execution upon him in his said journey towards the court. The duke, meeting the messenger on the way, read the letter, and, smothering it in his pocket without the least imaginable apprehension, rides forwards; his company being about that time not above seven or eight in number, and those no otherwise provided for their defence than with ordinary swords. After this, the duke had not advanced three miles before he met with an old woman near a town in the road, who demanded, Whether the duke was in the company? And, bewraying some especial occasion to be brought to him, was led to his horse's side, where she told him, That, in the very next town where he was to pass, she had heard some desperate men vow his death; and, thereupon, would have directed him about by a surer way: This old woman's casual access, joined with that deliberate advertisement which he had before from his noble friend, moved him to participate both the tenor of the said letter and all the circumstances, with his company, who were jointly upon consent, that the woman had advised him well: Notwithstanding all which importunity, he resolved to wave his way upon this reason, perhaps more generous than provident, that, if, as he said, he should but once by such a diversion make his enemy believe he was afraid of danger, he should never live without. Hereupon his young nephew, Lord Viscount Fielding, being then in his company, out of a noble spirit, besought him, that he would, at least, honour him with his coat and blew ribband through the town; pleading, that his uncle's life, whereon lay the property of his whole family, was, of all things under heaven, the most precious unto him; and, undertaking so to gesture and muffle up himself in his hood, as the duke's manner was to ride in cold weather, that none should discern him from him, and so he should be at the more liberty for his own defence: At which sweet proposition, the duke caught him in his arms and kissed him; yet would not, as he said, accept of such an offer in that case from a nephew, whose life he tendered as much as himself; and so liberally rewarded the poor creature for her good-will. After some short directions to his company how they should carry themselves, he rode on without perturbation of his mind. He was no sooner entered into the town, but a scrambling soldier clapped hold of his bridle, who thought it was in a begging, or, perchance,

somewhat worse, in a drunken fashion; yet, a gentleman of his train, that rode a pretty distance behind him, conceiving, by the premisses, it might be a beginning of some mischievous intent, spurred up his horse, and, with a violent rush, severed him from the duke; who, with the rest, went on quickly through the town; neither, for aught I can hear, was there any further inquiry into that practice; the duke, per-adventure, thinking it wisdom not to reserve discontentments too deep. As his return to the court, he found no change in fates, but smothered murmurings for the loss of so many gallant gentlemen; against which his friends did oppose, in their discourses, the chance of war, together with a gentle expectation for want of supply in time. After the complaints in parliament, and the unfortunate issue at Rhee, the duke's fame did still remain more and more in obloquy amongst the mass of people, whose judgments are only reconciled with good successes; so, as he saw plainly, that he must go abroad again to rectify, with his best endeavours under the publick service, his own reputation: where-upon, new preparatives were in hand, and, partly, reparatives of the former beaten at sea. And, in the mean while, he was not unmindful, in his civil course, to cast an eye upon the ways to win unto him such as have been of principal credit in the lower house of parliament, applying lenitives, or subducting from that part where he knew the humours were sharpest; amidst which thoughts, he was surprised with a fatal stroke, written in the black book of necessity.

There was a younger brother, of mean fortunes, born in the county of Suffolk, by name John Felton, by nature of a deep melancholy, silent, and gloomy constitution, but bred in the active way of a soldier, and, thereby, raised to the place of lieutenant to a foot company in the regiment of Sir James Ramsey; this was the man that, closely within himself, had conceived the duke's death. But what may have been the immediate, or greatest motive of that felonious conception, is even yet in the clouds.

It was said at first, that he had been stung with a denial of his captain's place, who died in England; whereof thus much indeed is true: That the duke, before he would invest him in the said place, advising first, as his manner was, with his colonel, he found him to intercede for one Powel his own lieutenant, a gentleman of extraordinary valour; and, according to military custom, the place was good, that the lieutenant of the colonel's company might well pretend to the next vacant captainship under the same regiment, which Felton acknowledged to be in itself very usual and equitable, besides the especial merit of the person; so that the aforesaid conceit of some rancour harboured, upon this denial, had no true ground. There was another imagination, that, between a knight of the same county, whom the duke had lately taken into some good degree of favour, and the said Felton, there had been ancient quarrels not yet well healed, which might, perhaps, lie festering in his breast, and, by a certain inflammation, produce this effect; but it carries small probability that Felton would so deface his own act, as to make the duke no more than an oblique sacrifice, to the fumes of his private revenge upon a third person; therefore, the truth is, that, either to honest deed after it was done, or to slumber his conscience in the

doing, he studied other incentives, alledging, not three hours before his execution, to Sir Richard Gresham, two only inducements thereof: The first, as he made it in order, was a certain libellous book, written by one Eggleston, a Scottish physician, which made the duke one of the foulest monsters upon the earth, and, indeed, unworthy not only of life in a christian court, and under so virtuous a king, but of any room within the bounds of all humanity, if his prodigious predictions had the least semblance of truth.

The second was the remonstrance itself of the lower house of parliament against him, which, perchance, he thought the fairest cover; so he put in the second place, whatsoever were the true motive, which, I think, none can determine, but the prince of darkness itself; he did thus prosecute the effect: In a bye cutler's shop on Tower-hill, he bought a tenpenny knife (so cheap was the instrument of this great attempt, and the sheath thereof he sewed to the lining of his pocket) that he might at any moment draw forth the blade alone with one hand, for he had maimed the other: This done, he made shift, partly, as it is said, on horseback, and partly on foot, to get to Portsmouth, for he was indigent and low in money, which, perhaps, might have a little edged his desperation. At Portsmouth, on Saturday, being the twenty-third of August, of that current year, he pressed, without any suspicion, in such a time of so many pretenders to employment, into an inward chamber, where the duke was at breakfast (the last of his repasts in this world) accompanied with men of quality and action, with Monsieur de Soubes, and Sir Thomas Fryer, and there, a little before the duke's rising from the table, he went and stood expecting till he should pass through a kind of lobby between that room and the next, where were divers attending him; towards which passage, as I conceive somewhat darker than the chamber, which he avoided, while the duke came with Sir Thomas Fryer close at his ear, in the very moment as the said knight withdrew himself from the duke, the assassin gave him with a back blow a deep wound into his left side, leaving the knife in his body, which the duke himself pulling out, on a sudden effusion of spirits, he sunk down under the table in the next room, and immediately expired. Certain it is, that, a good while before, Sir Clement Throckmorton, a gentleman then living, of grave judgment, had, in a private conference, advised him to wear a privy coat; whose counsel the duke received very kindly, but gave him this answer, That, against any popular fray, a shirt of mail would be but a silly defence, and, as for a single man's assault, he took himself to be in no danger: So dark is destiny.

One thing in this enormous accident is, I must confess, to me beyond all wonder (as I received it from a gentleman of judicious and diligent observation, and one whom the duke well favoured), That, within the space of not many minutes after the fall of the body, and removal thereof into the first room, there was not a living creature in either of the chambers, no more than if it had lain in the sands of Ethiopia; whereas commonly, in such cases, you shall note every where a great and sudden conflux of people unto the place, to hearken and to see: But it should seem the very horror of the fact had stupified all curiosity, and so dispersed the multitude, that it is thought even the murderer

himself might have escaped; for who gave the blow none could affirm, if he had not lingered about the house below, not by any confused arrest of conscience, as hath been seen in like examples, but by very pride in his own deed, as if, in effect, there were little difference between being remembered by a virtuous fame, or an illustrious infamy.

Thus died this great peer, in the thirty-sixth year of his age complete, and three days over; in a time of great recourse unto him, and dependance upon him; the house and town full of servants and suitors; his duchess in an upper room, scarce yet out of her bed; and the court, at that time, not above six or nine miles from him, which had been the stage of his greatness.

I have spent some inquiry, whether he had any ominous presagement before his end; wherein, though both ancient and modern stories have been infected with much vanity, yet, oftentimes, things fall out of that kind, which may bear a sober construction; whereof I will glean two or three in the duke's case.

Being to take his leave of my Lord's Grace of Canterbury, then Bishop of London, whom he knew well planted in the king's unchangeable affection, by his own great abilities, after courtesies of courage had passed between them: My Lord (says the duke) I know your lordship hath very worthily good accesses unto the King our Sovereign; let me pray you to put his Majesty in mind to be good, as I no way distrust, to my poor wife and children. At which words, or at his countenance in the delivery, or at both, my Lord Bishop, being somewhat troubled, took the freedom to ask him, Whether he had never any secret bode-ments in his mind? No (replied the duke), but I think some adventure may kill me, as well as another man.

The very day before he was slain, feeling some indisposition of body, the King was pleased to give him the honour of a visit, and found him in his bed; where, after much serious and private discourse, the duke, at his majesty's departing, embraced him in a very unusual and passionate manner, and did in like sort to his friend the Earl of Holland, as if his soul had divined he should see them no more: Which infusions towards fatal ends had been observed by some authors of no light authority.

On the very day of his death, the Countess of Denbigh received a letter from him; whereunto all the while she was writing her answer, she bedewed the paper with her tears; and, after a most bitter passion (whereof she could yield no reason, but, That her dearest brother was to be gone), she fell down in a swoon. Her said letter endeth thus:

'I will pray for your happy return, which I look at with a great cloud over my head, too heavy for my poor heart to bear without torment; but I hope the great God of heaven will bless you.'

The day following, the Bishop of Ely, her devoted friend, who was thought the fittest preparer of her mind to receive such a doleful accident, came to visit her; but, hearing she was at rest, he attended till she should awake of herself; which she did with the affrightment of a dream;

‘Her brother seeming to pass through a field with her in her coach; where, hearing a sudden shout of the people, and asking the reason, it was answered to be for joy that the Duke of Buckingham was sick.’ Which natural impression she scarce had related unto her gentlewoman, before the bishop was entered into her bed-chamber for a chosen messenger of the duke’s death.

This is all that I dare present of that nature to any of judgment, not unwillingly omitting certain prognostick anagrams and such strains of fancy.

He took to wife, eight years and two months before his death, the Lady Catharine Manners, heir-general to the noble house of Rutland, who, besides a solid addition to his estate, brought him three sons, and a daughter, called the Lady Mary, his first-born. His eldest son died at nurse before his journey to Rhee, and his third, the Lord Francis, was born after his father’s death; so that neither his first, nor his last, were participant of any sense of his misfortunes, or felicities. His second son, now Duke of Buckingham, was born to cheer him after his return from that unlucky voyage.

For these sweet pledges, and no less for the unquestionable virtues of her person and mind, he loved her dearly, and well expressed his love in an act and time of no simulation, towards his end, bequeathing her all his mansion-houses during her natural life, and a power to dispose of his whole personal estate, together with a fourth part of his lands in jointure. He left his elder brother of the same womb a viscount, and his younger an earl. Sir Edward Villiers, his half-brother on the father’s side, he either preferred, or removed (call it how you will) from his stepmother’s eye to the presidentship, where he lived in singular estimation for his justice and hospitality, and died with as much grief of the whole province, as ever any governor did before, his religious lady, of sweet and noble direction, adding much to his honour. The eldest of the brethren, and heir of the name, was made a baronet, but abstained from court, enjoying, perhaps, the greater greatness of self-fruition.

He left his mother a countess by patent in her own person, which was a new leading example, grown before somewhat rare since the days of Queen Mary. His sister of Denbigh (that right character of a good lady) he most humbly recommended to the Queen, who, after a discharge of some French in her court, that were to return, took her into three several places of honour and trust.

In short, not to insist upon every particular branch of those private preferments, he left all his female kindred, of the intire or half blood, descending of the name of Villiers, or Beaumont, within any near degree, either matched with peers of the realm actually, or hopefully, with earls sons and heirs, or at least with knights, or doctors of divinity, and of plentiful condition. He did not much strengthen his own substance in court, but stood there on his own feet; for the truth is, the most of his allies rather leaned upon him, than shoared him up.

His familiar servants, either about his person in ordinary attendance, or about his affairs of state, as his secretaries; or of office, as his stew-

ard; or of law, as that worthy knight whom he long used to sollicit his causes, he left all both in good fortune, and, which is more, in good fame: Things very seldom consociated in the instruments of great personages.

THE
BLOODY PARLIAMENT,

IN THE
REIGN OF AN UNHAPPY PRINCE.

Quarto, containing seven pages, Printed at London in the year of much bloodshed, 1643.

THIS present occasion serving so opportunely fit, I thought it a labour well worthy the observation, to lay down a true narration of that memorable parliament, begun in the tenth year of Richard the Second, both for the great wonders that it wrought, in the subversion of the malignants, who were near unto the king, and had distilled much pernicious counsel into his sacred ears: As also, that every good and careful reader might learn thereby to avoid diversities of miseries, and the fear and danger of a cruel death. I will therefore give a true and short narration of that which hath lain hid a long time in the shadow of forgetfulness, concerning men of great and eminent authority in this kingdom, who have been led away in the deceitful path of covetousness, and have come to an untimely and ignominious end; being famous examples to deter all men in authority, or whom favour shall raise near unto the king, from practising those, or the like courses.

When Richard, the second of that name, about the prime of his youth, swayed the imperial scepter of our realm, there flourished in his court certain peers, viz. Alexander Nevill, Archbishop of York, a man more favoured by fortune, than by the honour of his descent; Robert Vere, Duke of Ireland; Michael de la Poole, Earl of Suffolk, and then Lord Chancellor; Robert Trissilian, Lord Chief Justice of England, and Nicholas Brambre, a man, though low in parentage, yet sometime Lord Mayor of London. These men being raised by the special favour of the King, and advanced to the degree of privy-counsellors, were the men, who had the only rule of the common-wealth, which they, for a little while, governed, under the King, with great care and diligence, meriting thereby deserved commendations; but this not long did continue, for, overcome either with ambition, or with covetousness, or

with the pleasures of the court, they despised the authority of their too easy King, and, neglecting the commodity of the realm, in a short time, the revenues of the crown began to waste, the treasure was exhausted, and the commons murmured at the multiplicity of levies, and subsidies, and new ways of taxations; the peers repine to see themselves disgraced, and, in one word, the whole kingdom endured an universal misery. The nobility, seeing the miserable estate wherein themselves and the kingdom was involved, urged the King to summon a parliament, which was done shortly after; in which, amongst many other acts, *Michael de la Poole* was dismissed of his chancellorship, and, being accused of many crimes of injustice, as, bribery, extortion, and the like, he was committed to Windsor-Castle, and all his lands confiscated to the King. Neither did the parliament here give over, but provided for the whole state, by a mutual consent betwixt his Majesty and the prelates, the barons, and the commons; and, with an unanimous consent, they chose a committee of the lords spiritual and temporal, to depress all civil dissensions, and to appease the grudgings of the people. Of the spirituality were chosen the Archbishop of Canterbury, the Archbishop of York, the Bishop of Ely, the Bishop of Winchester, &c. Of the laity were elected, by the Duke of York, the Earl of Arundel, the Lord Cobham, the Lord Scroope, &c. these, as men eminent in virtue, were chosen by general suffrage, and (the parliament being then to be dissolved) were sworn to carry themselves as dutiful and obedient subjects in all their actions. Soon after the aforementioned chancellor, *Michael de la Poole*, buzzed in the King's ears (being moved with implacable fury against the parliament) that the statutes, then enacted, were prejudicial to the crown, and much derogatory to his princely prerogative, insomuch that he should not have the power in his own hands to preserve a servant, or to bestow a largess, &c. By these, and other the like impious instigations, with which the devil did continually supply them, they practised to annihilate these out of the parliament, or whatsoever might seem, by the liberty of the subject, to reflect on the royal prerogative of the prince: And, first, by their serpentine tongues, and ambitious projects, they so bewitched the noble instigation of the King, that they induced him to believe, that all the ill they did was a general good, and so wrought upon him, that he began to distaste and abhor the passed acts of his parliaments, as treacherous plots, and wicked devices. Next, they studied to ingross the riches of the kingdom into their own coffers, and, to the same end, deal so cunningly, yet pleasingly, with the King, that to some he gave ransoms of royal captives, taken in the late wars in France; to some towns, to some cities, to some lands, to others money, amounting to the sum of a 100000 marks, to the great impoverishment both of King and kingdom. Thirdly, contrary to their allegiance, they vilified the dignity of the King; they caused him to swear, that, with all his power, during his life, he should maintain and defend them from all their enemies, whether foreign or domestick. Fourthly, whereas it was enacted, that the King should sit with his parliament at Westminster, to consult of the publick affairs, through the persuasion of the aforesaid conspirators, he was drawn into the most remote parts

of his realm, to the great disparagement of his great council, and the general dissatisfaction of the kingdom. And when any of his great council came to make relation of the state of the realm unto his Majesty, they could not be granted access, unless they related the business in the presence of the conspirators, who were always ready to upbraid them, if they uttered any thing that displeased them; and though they seemed to advance it, they did as much as in them lay, to hinder the King from exercising his royal prerogative. But, though there were so many plots, conspiracies, and treasons against our state, our ever-merciful God inspired into the hearts of the Duke of Gloucester, the Earls of Arundel and Warwick, the spirit of valour and magnanimity, and every man, according to his ability, levied a power for the preservation of the King and kingdom; all which forces, being united, amounted to the number of 20000. And though the conspirators, by vertue of a certain spiritual commission, proclaimed throughout the city of London, That no man, upon the pain of the loss of his goods, should sell any victuals, or ammunition, to the army of the Earl of Arundel, they could not debar them from it; wherefore they counselled the King to absent himself from parliament, and not consult of the affairs of the kingdom, unless an oath were taken, that they (the said conspirators) should have no accusation urged against them: And they caused it to be proclaimed throughout London, that none, under pain of confiscation of all their goods, should speak any upbraiding speeches concerning the King, or the conspirators, which was a thing impossible to hinder. In the mean time, the three noblemen, the Duke of Gloucester, the Earls of Arundel and Warwick, having mustered their troops, sent an accusation in writing to the King, against the said conspirators, the Archbishop of York, the Duke of Ireland, the Earl of Suffolk, Robert Trissilian, and Nicholas Brambre, wherein they accused them of high-treason, for proclaiming throughout all the shires where the King journied, that all barons, knights, and esquires, with the greatest of the commonalty, able to bear arms, should speedily repair to the King, for his defence against the power of the commission. As also, that, contrary to the said acts, they caused the Duke of Ireland to be created chief justice of Chester, hereby selling justice as they listed, and for giving pardons, under the broad seal, to felons, murderers, and such like: As also, they taught Ireland to look back to her pristine estate of having a King; for they plotted to have the Duke created King of Ireland; and, for to have the confirmation of this design, they allured the King to send his letters to the pope.

When these things came to the King's ears, he sent unto them, requiring to know what their demands were: Answer was returned, they desired, that the traitors, who daily committed insufferable crimes, and filled his ears with false reports, to avoid the effusion of more blood, might receive that reward their crimes deserved, and that they might have free liberty of going and coming to his grace. This the King gave consent unto; and, sitting in his throne, at the great hall in Westminster, the poor appellants, with humble reverence, bowed three times low before his Majesty on their knees, and again asked the aforesaid conspirators, guilty of high treason; whereupon, not long after,

the Duke of Ireland withdrew himself, and, marching into Cheshire, Lancashire, and Wales, raised a power of 6000 men, in the King's name, to overthrow and confound the appellants; and, marching towards London, when he found the army of the appellants was marching down the mountains, near Whitney, like a hive of bees, such a violent and cold palsy cowed them, that they flung down their arms, and yielded themselves to the mercy of the appellants; the Duke of Ireland himself, putting spurs to his horse, took the river, where he hardly escaped drowning. The conspirators, hearing of this, struck with fear, under the cover of the night, did fly by water to the tower, and seduced the King to go along with them.

Not long after, there was a conference in the tower, betwixt the King and the said appellants, at the end of which the King did swear to adhere to their counsels, so far as the true law of reason and equity did require; and, because the harvest was now ripe, presently divers of the officers of the King's household were excluded, as John Beauchamp, Peter Bourtoey, knights, and many others; and of the clergy, John Blake, dean of the chapel; John Lincolne, chancellor of the exchequer; John Clifford, clerk of the chapel, were kept under arrest. And thus this hideous brood of monsters, so often shaken, was quite overthrown.

On the second of February the King came to his parliament, and after him appeared the five noblemen, appellants; who, leading one another hand in hand, with submissive gestures revered the King, and, by the mouth of Robert Pleasington, their speaker, they thus declared, That the Duke of Gloucester, and themselves, came to purge themselves of the treasons laid to their charge, by their conspirators. To whom the lord chancellor, by the command of the King, answered, That the King conceived honourably of them all, especially of his cousin the Duke of Gloucester, who, being of affinity to him in a collateral line, could never (he said) be induced to attempt any treason against his Majesty. On this, after thanks humbly given to the King, the appellants requested the King, that sentence of condemnation might be given against the conspirators; but the King, being moved in conscience, and in charity, perceiving that in every work they are to remember the end, desired, that the process might cease; but the peers again importuned him, that no business might be debated, until this treason were adjudged: To which the King, at length, graciously granted his assent; and, when nothing could be produced by the conspirators to justify themselves, they were adjudged this heavy doom, that the Archbishop of York, the Duke of Ireland, the Earl of Suffolk, Tressilian, and Brambre, should be drawn from the Tower to Tyburn, and there to be hanged upon a gibbet, until they were dead, and all their lands and goods to be confiscated, that none of their posterity might by them be any way enriched. After this many more of their accomplices were taken, and indicted of high-treason, whose names here follow underwritten.

The names of such as were charged and condemned of high-treason in the aforementioned memorable parliament.

Alexander Nevill, Archbishop of York; Robert de Vere, Duke of Ireland, who being banished into France, was killed with a wild boar; Michael de la Poole, Earl of Oxford, lord high-chancellor; Robert Tressilian, lord chief justice of the king's-bench; Sir Nicholas Brambre, sometime lord mayor of London, made a privy-counsellor; John Blake, serjeant at arms; Thomas Uske, an intelligencer of Tressilian's. All these, except the Duke of Ireland, were hanged and drawn at the Elms, now called Tyburn.

Robert Belknap, John Holt, Roger Falthrop, William Burleigh, John Locton, and John Carey were judges; and, altho' condemned, yet their lives were saved at the intercession of the lords spiritual and temporal, and were afterwards banished into Ireland; Sir Simon Burleigh, who was condemned and beheaded; Sir John Beauchamp, steward of the household to the king; Sir James Beversous.

There were also condemned and detected of the aforesaid treason the Bishop of Chichester, the king's confessor; Sir Thomas Trinit, knight; Sir William Ellington, knight; Sir Nicholas Neyworth, John Slake, and John Lincoln, which last were three of the clergy. Behold these men, who feared not God, nor regarded men, but, having the laws in their own hands, wrested them now this way, and now that way, as pleased best their appetites, wresting them, at their pleasures for their own commodities, were at the last brought down to the depth of misery, from whence they were never able to free themselves.

Richard, son of the valiant and victorious Edward the Black Prince, was born at Bourdeaux, and grandchild to King Edward the Third; being eleven years old, he began his reign, the twenty-first day of June, in the year of our Lord 1377, and was crowned king at Westminster, the sixteenth day of July; in bounty, beauty, and liberality, he far surpassed all his progenitors, but was over much given to ease and quietness, little regarding the feats of arms; and, being young, was ruled most by young council, regarding little the council of the sage men of the realm; which thing turned this land to great trouble, and himself to extreme misery. For being first disgraced by his cousin Henry of Bullingbroke, Duke of Hereford, son of John of Gaunt, Duke of Lancaster, he was, at length, by the general consent of parliament, deposed from his crown and kingdom, the twenty-ninth of September, 1399, and committed to prison, and afterwards wickedly murdered; for, being sent to Pomfret castle to be safely kept, and princely maintained, he was shortly after, by King Henry's direction and command, who feared, lest his estate might be shaken while King Richard lived, wickedly assaulted in his lodging, by Sir Pereu of Exton, and eight other armed men; from one of whom with a princely courage he wrested a broom-bill, therewith slew four of them, and fought with all the rest, until, coming by his own chair, in which the base cowardly knight stood for his own safety, he was by him struck with a pole-ax in the hinder part of his head, so that presently he fell down and died, when he had reigned twenty-two years, seventeen weeks, and two days.

DIE LUNÆ, 22 IAN. 1643.

AN ORDINANCE *

FOR

REGULATING THE VNIVERSITY OF CAMBRIDGE,

And for removing of scandalous Ministers in the seven associated Counties.

WHEREAS many complaints are made by the well-affected Inhabitants of the associated counties of Essex, Norffolk, Suffolk, Hartford, Cambridge, Huntington, and Lincolne †, that the service of the parliament is retarded, the enemy strengthened, the peoples soules starved, and their minds diverted from any care of God's cause, by their idle, ill-affected, and scandalous clergy, of the vniversity of Cambridge, and the associated counties; and that many that would give evidence, against such scandalous ministers, are not able to travell to London, nor beare the charges of such a journey: It is ordained by the lords and commons assembled in parliament, that the Earle of Manchester shall appoynt one or more committees in every countie, consisting of such as have beene nominated deputy lieutenants, or committees by any former ordinance of parliament, in any of the said associated counties, every committee to consist of ten, whereof any five or more of them, to sit in any place or places within any of the said associated counties where the said Earle shall appoynt, with power to put in execution these instructions following, and, in pursuance thereof, to give assistance to the said committees.

First, they shall have power to call before them all provosts, masters, and fellowes of colledges, all students, and members of the vniversity, and all ministers in any countie of the association, and all schoole-masters that are scandalous in their lives, or ill-affected to the parliament, or fomentors of this unnaturall war, or that shall wilfully refuse obedience to the ordinances of parliament, or that have deserted their ordinary places of residence, not being employed in the service of the King and parliament. And they shall have power to send for any witnesses, and examine any complaint or testimony against them, upon oathes of such persons as shall and may be produced to give evidence against them, and shall certifie their names, with the charge and proofes against them, to the said Earle of Manchester, and he shall have power to eject such as he shall judge unfit for their places, and to sequester their estates, meanes, and revenues, and to dispose of them

* By the Parliament.

† Including the Isle of Ely and the city of Norwich.

as he shall thinke fitting, and to place other fitting persons in their roome, such as shall be approved of by the assembly of divines sitting at Westminster.

The Earle of Manchester, or the said committee or committees, shall have power to administer the late covenant taken, and to be taken of all the three kingdoms, of England, Scotland, and Ireland, to all persons in any of the said associated counties, and the Isle of Ely, upon such penalties as are, or shall be assigned by the parliament in this behalfe.

And be it ordained, that the said Earle of Manchester shall have power to dispose of a fifth part of all such estates as they shall sequester, for the benefit of the wives and children of any of the aforesaid persons.

The said committee or committees shall imploy a clerke for the registering of all warrants, orders, summons, and ejectments made by them: And that they choose some convenient place for the preserving of the writings of this committee.

That the said Earle of Manchester shall have power to examine and inhibite all such as doe obstruct the reformation now endeavoured by the parliament and assembly of divines.

And be it further declared, that all such as shall doe any thing in execution of this ordinance, shall be kept indemnified by the authority and power of both houses of parliament.

And further be it ordained, that the Earle of Manchester shall have power to appoynt a convenient number, consisting of one or more out of every countie, one out of the citie of Norwich, and one out of the countie and citie of Lincolne: Provided that three of these be deputy-lieutenants to sit at Cambridge for the better ordering of all businesses of the association, according to ordinances and orders of parliament, and according to his commission granted by his excellencie the Earle of Essex; and that the present committee for the association sitting at Cambridge shall cease, when the Earle of Manchester shall have appoynted another under his hand and seale.

John Browne Cler. Parliament.

The following commission granted by the Earle of Manchester, according to the power given him by the foregoing ordinance of parliament, is here printed from an original MS. signed by the said Earl, and directed to Sir Edmund Bacon, Sir William Spring, Sir William Soham, Mr. Barrow, Mr. Gurdon, sen. Mr. Tyrrell, Mr. Gurdon, jun. Mr. Harvie, Mr. Moody, Mr. Chaplyn,

Gentlemen,

I SEND you, by this bearer, a commission, with instructions for the executing of the ordinance of parliament, against scandalous ministers within your county: I neither doubt of your abilities nor affections to further the service; yet, according to the great trust

ymposed uppon me herein by the parliament, I must be earnest with you to be diligent herein: You know how much the people of this kingdome have formerly suffered, in their persons, soules, and estates, under an idle and ill-affected, scandalouse and insolent clergy, upheld by bishops; And you cannot but foresee, that their pressures and burthens will still continue, although the forme of government be altered, unlesse greate care be taken to displace such ministers, and to place arthodox and wholly men in every parish; for, lett the government be what it will, for the forme thereof, yet it will never be good, unlesse the partyes employed therein be good themselves. By the providence of God, it now lyes in our parte to reforme the former abuses, and to remove the offenders; your power is greate, and soe is the trust reposed in you; and your fault will bee no lesse, if you doe not well discharge this greate trust: Yf a generall reformation follow not within your county, assuredly the blame will be layed uppon you, and you must expect to be called to an accompt for it, both here and hereafter; for my parte, I am resolved to ymploy the utmost of that power, given unto me by that ordinance, for the procuring a generall reformation in all the associated countyes, and, expectinge your forwardness and harty joyninge with mee herein, I rest

Your Friend to serve you.

BY vertue of an ordinance of the lords and commons in parliament assembled, to mee directed, and entituled, An ordinance for regulat-inge the vniversity of Cambridge, and for removinge the scandalous ministers in the seven associated countyes: I doe authorize, constitute and appoynt you Sir John Wentworth, knt. Francis Bacon, Nathaniel Bacon of Ipswich, Nathaniel Bacon of Freston, Francis Brewster, William Blayes, Robert Brewster, esqrs. Robert Duncon, Peter Fisher, and John Base, gents. or any five of you, to call before you all ministers and schoolemasters within the county of Bucks, that are scandalous in their lives, or ill-affected to the parliament, or fomentors of this unnaturall warre, or that shall willfully refuse obedience to the ordinances of parliament, or that have deserted their ordinary places of residence, not beeinge ymployed in the service of the Kinge and parliament, with full power and libertie to send for any wittnesses, and to examine any complaint or testimony against any such ministers, uppon such persons oathes as shall and may be produced to give evidence against them; and you to certifie the names of such ministers, with the charge and proofs against them, to mee: And I do hereby further authorize and appoynt you, to administer the late covenant, taken, or to be taken, of all the three kingdomes of England, Scotland, and Ireland, to all persons within the said county, and to performe and execute all other things directed by the said ordinance, within the said county: And whatsoever you, or any five of you, shall doe in the premisses, this shall be your warrant.

Manchester.

Given under my hand, &c.

Instructions to the Commissioners, for removing scandalous Ministers within the county of Suffolk.

YOU are with all diligence to apply yourselves to the speedy and effectuall executing of this ordinance; and, for that end, you are to divide yourselves into several committees, five of you beeing a committee, and to appoynt certeyne days for your settinge, at several places with the county, that soe all partyes, by the easinesse, may be encouraged to addresse themselves to you in their complaynts.

When any complaynts are made unto you, and articles preferred against any minister, you are to send out your warrant to the witnesses, as also to the minister, to appeare before you at the time and place appoynted.

I thinke it not fitt that the partyes accused should be at the takinge of the depositions, because of discountenancing the witnesses, and disturbing the service: But, when the depositions are taken, uppon oath, you are then to lett the party accused have a copy of them, yf they will pay for itt, and to give him a day to retorne his answere, in writinge, and to make his defence, at any other meetinge, to be appoynted within fourteene days, or thereabouts.

You are to retorne both the accusation and the defence, under your hands, sealed, to Mr. Good, or Mr. Ashe, whom I have appoynted to receive the same, who thereupon shall receive such further directions as shall be thought fitt.

Yf the party accused will not appeare, nor make his defence, you are to certifie the cause of his absence and neglect herein; for if he bee non-resident, or in armes against the parliament, or the like, I shall proceede against him notwithstandinge.

And because it is found, by sad experiance, the parishoners are not forward to complayn of their ministers, although they be very scandalous, but, havinge the price and power in their hands, yet want harts to make use thereof, too many beeing enemies to that blessed reformation so much desired by the parliament; and loath to come under a powerfull ministry: And some sparinge their ministers, because such ministers, to gayne the good opinion of their people, for the present, doe spare them in their tythes, and thereupon are esteemed quiet men, or the like; you are therefore required to call unto you some well-affected men within every hundred, who, havinge no private engagements, but intendinge to further the publique reformation, may be required and encouraged by you, to inquire after the doctrines, lives and conversations of all ministers and schoolemasters, and to give you informations, both what can be deposed, and who can depose the same.

And, for better encouragement, both to the commissioners and prosecutors, in this service, every commissioner shall be allowed five shillings *per Diem*, that he setts in executinge this ordinance, to be paid by John Base, of Saxmondham, sequestrator of the county; who is

hereby required to pay it upon demand, and who shall be allowed it upon his accompt; out of which money it is desired, that the clarke may receive some pay; that soe the clarke may not discourage the prosecutors or informers, by demanding fees, either for warrants or coppyes of the proceedings, unlesse the writinge be very large, and the parties will voluntarily give him somethinge.

You are to proceede against all ministers and schoolemasters that are scandalous in their doctrine or lives, non-resident, ignorant, or unable for the service, idle or lazy, and all that are any ways ill affected to the parliament, or the proceedings thereof, expressed either by their speeches or actions.

You are to require the parishoners, to make choyse of a fitt and able minister to succeed, who must bringe unto mee a very good testimoniall, from the best-affected gentry and ministry of the county, of his sufficiency, as allsoe of his life and conversation; and you are to take speciall care, that no Anabaptist or Antinomian be nominated, but such as are very arthodox in their opinions, and such as the assembly of divines, now assembled at Westminster, will allow of.

You are diligently to inquire out the true value of every livinge, that shall be questioned before you, and to certifie the same, as allsoe the estate, livelihood, and charge of cheildren of the party questioned, that soe I may know what allowance to make to the party, uppon the sequestration, for to maintayne his wife and cheildren, accordinge to the ordinance of parliament.

Lastly, You are required to use all other wayes and meanes, according to your discretions, for speeding this service.

Manchester.

A SYNOPSIS,

OR,

CONTRACT VIEW OF THE LIFE OF JOHN ARMAND,

CARDINAL OF RICHLIEU,

Great favourite and Minister of State to Lewis the Thirteenth, King of France. To be engraven on his tomb. First written in Latin, and now, verbatim, rendered English.

Quis leget hæc ? —

Vel duo, vel nemo.

PERSIUS.

Printed in the year 1643. Quarto, containing eight pages.

Cardinal Richlieu's Epitaph.

THE first thing requested of thee, O passenger, is, that thou wouldst bless Almighty God, that in France thou mayest now read these lines securely.

Next, wonder, that he, whom the earth was too angust for, when he was alive, should be imprisoned in so small a space of ground, now he is dead.

When he had commoved earth, he aspired to rule even heaven itself; as appears by his arrogating to himself this *Symbolum*, or motto, *MENS SIDERA VOLVIT*.

And, that thou may understand what kind of intelligence this was, know that he was of a sagacious industry, but unquiet; an enemy both of the publick, and of his own private tranquillity.

In a great wit, by many revered, not a few, that knew him, found a great mixture of madness.

He had a mind that was made worse by every thing, bettered by nothing.

He stood thus long; not so much through favour, as his power with a mighty King; and was happy in the event of things, rather than in a prudent management of them.

Only he was unhappy in the disfavour of Almighty God; for, having continually conflicted with noisome diseases, he was ignorant of the seat of happiness, which yet, to the rendering both himself and others unhappy, he sought after.

Nor did he ever seem happy even in his own eyes, as not honest in the eyes of those who called him happy.

He was vexed with two great tormentors of life, choler, and melancholy. In the flames of the former, and the fumes of the latter, he continually suffered.

So that venom which he spit out, to the perdition of others, he could not keep in, without hurt to himself.

He outwent most men in covetousness, all men in ambition. A waster of the royal exchequer, but a niggard of his own purse. Cruel, if offended; but more cruel, where he offended others.

By the conferrings of the queen-mother he was made rich, by her plottings preferred, and, by her power, made more potent. Yet her did he deprive of the King's favour, of her liberty, of her estate, of France, and, at last, of her life, she being an exile at Cologne. And, lest he should spare her, when she was dead, he nulled her last will, and caused her corps to lie five months (at the end of which, himself followed her) in her chamber unburied.

The honour of monsieur, the King's brother, he violated, and endeavoured to supplant even his person.

He not only withdrew the affections of * son from mother, and of * brother from brother, but of * husband from wife.

Mariliack he caused to be beheaded by the greatest wrong; Montmorency by the greatest right; Cinkmart, partly by right, partly by wrong; M. de Thow, whether by right or wrong, no man knows.

Some noblemen he condemned to perpetual imprisonment, more to banishment; but those he drove from court were innumerable.

He proscribed many, lest they should hinder his designs. Nor did milder France ever behold so frequent punishments.

* King of France.

Building upon the power of a great King, whom, with a great deal of art and study, he deceived, and supplied with the wealth of a most fruitful kingdom, he spent an infinite number of arrows, in aiming to hit the main mark, which he had missed.

A continual working and agitation of mind, backed with many mad attempts, together with a rigid severity, and an all-trying boldness, produced a few fortunate issues. But he had soon been supplanted, if, among foreign enemies, he had found some more wary, or, among Frenchmen, scarce any of whom but were averse to him, had met but with one adversary.

It well besteed him, that hardly any body knew him, or believed those that did.

He was so fortunate, that those of the nobility, as well as of the army, whom he had irritated, did yet, for his honour, shed their own and others blood, whilst himself mingled his with the King's.

He had perished in the same design, in which Sejanus once perished, had he not taken out of the way, O grief to think on! the royal Count of Soissons.

Germany, Spain, Italy, and the Low-Countries, but especially France, will hardly be able, in a whole age, to efface the bad impressions of so hurtful an authority.

Taking pleasure in the miseries both of the citizens and suburbans, that he might fleece these, he lanced the very entrails of those.

Nor did he any wise indulge to the sacred health of the king, but disturbed that, whilst, with anxieties and various passions of mind, he wore out his own.

The divine justice first ulcerated his arm, which he had stretched out against heaven. Next, it took from him the use of his right hand, which had subscribed to unnecessary wars. His arm, eight months before his death, rotted, by reason of which his hand withered.

And yet, which is a sad thing, he, that so plainly felt God an avenger, would not plainly enough acknowledge him.

This appears, in that he more hotly exercised his fury upon his private enemies.

In that, death approaching, rather out of a politick prudence, than a Christian piety, he commended his favourites to the King, more than his soul to God.

In that, a few days before the catastrophe of his tragick life, he caused a play of his own devising, which he called *Europa Triumphata*, to be acted in the most royal pomp, that could be, though himself could not behold it.

In that, being a cardinal, he afflicted the church: being a priest, he shed blood; being a christian, he forgave no injuries; and being a man, he yet would not remember himself to be mortal, even when the worms, crawling out of his many ulcers, did admonish him to how frail and noisome a mortality he was obnoxious.

When by all ways, the most impious not unassayed, he had, for the space of eighteen years, prosecuted his private ends, to the undoing of the publick, he, at length, arrived to the ordinary end of men, by a

death, to appearance, peaceable, but more lingering than that of many, whom he had sent before him.

He died at Paris, where he had been born fifty-seven years and three months before.

Forsaking France, and his own house, he seemed to endeavour the combustion of them both; of that, by an extorted declaration against the King's brother; of this, by a will framed to a * woman's fancy.

For the rest; nor did the kingdom of France, being opulent, ever deal with any so bountifully; nor, being of a genius impatient, did it ever bear with any so continuedly; nor, affecting quietment, did it ever part with any so gladly.

I assert these things openly, which thou, O passenger, didst privily suspect, and, in wisdom, kept to thyself.

If thou encounterest any one who still doubts, intreat him not to give credit to abused men, not to corrupt flatterers; but rather to me, who speak nothing but truth, and that out of a conscientious sincerity.

And I would have all men persuaded, that the least justice is more acceptable to God, than the greatest power; that a name is to be esteemed, not for being far and wide diffused, but for being good; that to trouble and unsettle many things is not to do much, but, being unsettled, to compose them, more; to keep them from being unsettled, most of all.

Prosperous wickednesses are, by the multitude, accounted for virtues; but do thou, on the contrary, think nothing more wretched, than such thriving impieties.

This egregious artisan of cheats, Richlieu, deceived many for a while, and himself haply to eternity.

Who, alas, shall reduce to order that infinity of things which he hath confused? Who deemed of peace, because it suited not with his turbulent brain, that it was disagreeable even to his fortune. From whence sprang those many evils, which, for these last fifteen years, have so oppressed the Christian world.

Pray, that God would not eternally avenge it upon the author; who needed much mercy, and many of God's compassions, amidst his many and great crimes.

Do thou, O Christian, seriously perpend, what a nothing that is, which is subject to a momentary vanish: † 'None of those, whom thou seest clad in purple, are therefore happy, no more than they, whose part in a comedy allows them a robe and scepter; who having buskined, and, on tiptoes, strutted it before the staring spectators, as soon as they come to their exit, are un-pantoffled, and return to their own stature.'

Furthermore, see how small an ash-heap he now is, who once was so great a fire; how fetid a stream he now sends forth, who lately darted a splendor so coruscant, that every one's eyes were thereby dazzled.

* The Duchess of Eguillon. † Seneca.

I wish he prove not a firebrand to himself, in another world, who was so to Europe in this.

Poor Europe now hopes for peace, the fewel of her wars being extinct.

I should intreat thee, O passenger, to pray for peace to this so mortal an enemy even of his own peace; but that I fear thou wouldst but trouble him, in wishing a thing to him, which he so greatly hated. Yet pray notwithstanding, in that thou art commanded to love thy enemies; if the peace, thou prayest for, reach not him, it will return unto thyself: Such was the commandment of our Saviour; in whom I wish thee peace whilst thou livest, that thou mayest sweetly rest in him when thou diest. In the mean time, farewell.

THE

POWER OF THE LAWS OF A KINGDOM

Over the Will of a Mised King.

Leyden, printed by William Christienne. 1643. Quarto, containing eight pages.

A Kingdom is above a tyrant, or a King, when he breaks the laws. I must here wonder, with Buchanan, 'That law which concerns the Kings themselves, what is it, and by whom enacted, neither can the lawyers themselves resolve; the Roman Kings never had that power, from them there was an appeal to the people. Seneca, epist. 19. 'Scribit se ex Cicerone de repub. Libris didicisse, provocationem ad populum & etiam á regibus fuisse.' We will examine what the French story can afford us, since that government is so much affected; I conceive it is *Lex Talionis*, to be judged by their examples, which hath been but of late times within this one-hundred, two-hundred, or three-hundred, years; for, since these times, I am persuaded their parliaments are so far short of their ancient authority, that they are not equal with those liberties they have had, by reason of the incroachment of their Kings; for, by the French story, it will easily appear, that they are inferior unto their parliaments. John de Rubra, in those times, 1371, a famous lawyer, 'Sub finem tractatus, scribit his verbis, Si alicui regi superiorem non recognoscendi dandus esset coadjutor, illis adsumtio & institutio, pertinent ad tres status, regni quod superiorem non habet, ut est regnum *Franciae*. Did not the nobility rise against Lewis the Eleventh of France, for the publick

good, that they might demonstrate perforce unto the King the miserable estate of the commonwealth? The sum of their request was, that the three estates might meet; and, when they did meet, there were chosen twelve out of every state by the parliament, so that there were thirty-six chosen in all to reform the grievances of that kingdom; and the King promised his faith, that he would ratify whatsoever those thirty-six should present to him; but Lewis the Eleventh broke his faith, which was the cause of the war that continued thirteen years afterwards; and so the perjury of the King, with his own infamy, and the destruction of the people, was expiated.' The historians, that this history are gathered out of, are Philip de Com. Lib. cap. ii. N. Gillius, Lib. fol. 152. *Guagninus in vita ejusdem Ludov. Monstrolettus Oliverius Lamarcius Belga*. Hist. cap. 35. I must tell you, this King was neither weak in body or mind, for he was about forty, and, for his natural parts, surpassed all the Kings of France. To make the controversy more plain, 'There was a difference between this Lewis and Charles his brother, in 1468, upon which the parliament did decree the King should give some Duchy which did not belong to the crown; besides, they did decree that the King should pay him yearly, out of his own treasure, a great sum of money.' Britan. Amor commemorat. Lib. iv. fol. 200.

Gasco de Beirna, in 1275, was besieged by Edward King of England; Gasco appeals to the parliament, and Edward would not detract it, but did commit it to his officers, lest he should, if he had detracted it, make the French King, to whom he had lately done homage for some land he held there, a party against him; but that which makes this case most perspicuous, is that of Edward the Third, and Philip of France, in 1328: The contention arising betwixt them two for the kingdom of France, they both of them submitted to the censure of the parliament of that kingdom; the parliament judged the kingdom to Philip, neither did King Edward detract that judgment, he paying of him homage for *Aquitain* a few years after. Thomas Walsingham. In this all the French historians agree as well as England. Polydor. Virgil. Lib. xix. Thomas Walsingham *sub Edwardo tertio*.

But, of all the institutions of countries, there is none so memorable as that of the Spaniards, who, when they create Kings in the council of Arragon, and that it may be the better remembered, they present a man upon whom they place this inscription, *Jus Arragonicum*, whom they do publicly decree to be greater and more powerful than the King; when that is done, they speak to their King, being created upon certain laws and conditions, in these words, which we will produce, because they will shew a notable and singular stoutness of that nation, in curbing their Kings, *Nos quæ valemus tanto come vos y podemos mas que vos elegimos Rei, con est as y estas conditiones, intra vos y nos un que mandamas que vos*; 'We that are as great as you are, and are of more power than you, have chosen you our King, upon these and these conditions, betwixt you and us, there is one that is of more power than you.' The examples are infinite that the French have made of their Kings, and their Kings children, so that I will instance no more than I have done; for these testimonies are the more to be noted and observed, because they do clearly demonstrate, that the chief right and arbitrement hath

been of the people, not only of chusing Kings, but also of refusing, and repulsing the sons of their dead King, and chusing others in their rooms.

The lawyers now expecting the day, there starts up one, and puts into the court a *Quare impedit* : for which his reason was, that, though these things have been done thus and thus, yet the fact doth not prove the consequence, that they ought to be done. The lawyer presently replied, that this caveat of his might not be approved of, being most ridiculous; which conceives, that a whole kingdom should not judge better of that which they have made so often trial of, than this man or that man. If the reason of many might be brought into question by this or that man's opinion, I would put this question to any man to prove by reason, being no more indemonstrable than the other question, that man is reasonable: If he would give me an answer, I think that he could have no other proof that this is, or that is to be reason, than the general consent and approvement of this and that society: But, since the beginning of the world, there hath nothing been so absurd, but it hath found one patron. I do wonder what government the objector would have in the world, if most voices might not prevail. Doth not the divine think his controversy the strongest, when he hath most fathers with him; or the civil lawyer when he pleads, doth not he carry it when he quotes the most authors? All that can be said by them, is, the King will not admit of it for reason; and perhaps they will say, the kingdom is a party as well as the King, and therefore a by-stander may see more: If a by-stander may see more, I will bring him in, and he shall be no other than a King (mistake me not, I mean a King of reason) it is Aristotle, who was greatest with the greatest monarch, 'The King must neither kill nor banish, no not for a time, nor in any one part must he domineer. [For it is not fit the part should be above the whole.]' Neither hath wise Aristotle, who dipped his pen in reason, left the King without a commanding strength over his disobedient subjects, nor the kingdom unfortified from incroaching Kings; he writes thus: 'There remains one question concerning his strength, whether a King ought to have any, whereby he may compel his disobedient subjects to him, ruling according to the law, or after what manner he shall execute his office, altho' he be a just prince, and doth not prefer his will above the law, yet it is necessary that he have power whereby he may protect the laws; it is quickly resolved of, and not difficult to determine what power such a King should have; his power ought to be more than any one private man's, or more, yet less than the kingdom's.' So that, if Aristotle speak truth, upon whom all human knowledge is built on, no man can deny this conclusion, That the King out of his courts hath a superior, which is the law, the King in the court: So that I wonder more and more, than any man can maintain there can be long any government so long as this tenet is maintained, that a King is not answerable for his misgovernment, and that we must wait God's justice and providence; and we must, in the mean time, stand like the man in *Æsop*, who, when his cart stuck fast in the dirt, did nothing but pray to Jupiter, that he would pull his cart out of the dirt for him: But he had answer made, Jupiter would not help him, unless he would help himself; and,

after he had put to his helping hand, then he had his prayer granted. Nor must we think so of providence, that we must think ourselves nothing. *Platonus in Theod. de Providentia Dei, fol. 98.* O that men would seriously consider, that a more pernicious tenet to the Kings themselves cannot be hatched, for the subjects will continually be suspicious of their princes, and so will never love them truly, so long as Kings nourish their basilisks. *Arist. Rhet. Lib. vii.* For what more hopes can we have of Kings than of popes, unless God would by his extraordinary means enlighten them? We have read into what exorbitances popes, (tho' grave and learned men, have run unto, by reason they bolstered up themselves by this tenet, of being answerable to none but God, till at last they were reduced to censure by the council of Basil. All that can be pretended in reason, why we should not resist evil princes, is, because that civil wars will follow, and so there will be greater bloodshed: I answer, we do usually remember evils better than benefits, for the one is written in marble, the other in sand. It happens so sometimes; but sure I am, that, after their removals, the next three or four successors will be more cautious, and so will their friends be that shall take their parts. Caligula and Nero died without revenge, and in good time, or else, I think, they would not have left a senator. Observe but the princes that succeeded Nero, until you come to Domitian, and you shall find the Romans were not weary of them, and likewise after Domitian again. But here my pen shall stop, and we will leave the lawyer in good hopes, to get the cause against the tyrant, for, if the council will not judge, yet the tyrant will judge himself; for, when he judged by the law, he is judged by his own word; for, by his word and will, it was made when he was King; but, if this will not serve, his law books the lawyer will burn, and he will never study more, unless in the court. *Tyrannicarum Crudelitatum Exempla. Astulphus in Officina. Hist. Lib. iii. cap. 6.*

THE

CHARACTER OF AN OXFORD INCENDIARY.

Printed for Robert White, in 1643. Quarto, containing eight pages.

AN Oxford incendiary is a court salamander, whose proper element is fire: An Englishman, yet lives by antiperistasis to his native climate, and turns our northern temperate into the torrid zone. All ancient philosophers are by him confuted, having made one region more of fire than they dreamed of; nor is it any wonder, seeing he creates new prodigies every day.

I suppose him lineally descended from St. George's fiery dragon; and, if you please to inquire of Doctor Heylin, he may chance to make good the heraldry. But, whosoever was the sire, mother he hath none that I can hear of; nor do I believe that nature, our common mother, will own the monster. For his name, you may, if you please, make bold with Ovid, and call him Phaeton, for he rules the chariot of the sun, and, having gotten the reins in his own hand, hurries all into combustion; yet the desperate wretch cares not, so he may work a metamorphosis upon the nation, or mingle his own with the kingdom's ashes.

His birth-place I take to be Mount Ætna; there Empedocles acted the man-midwife, and delivered him out at the tomnels. If the pope want a leiger for purgatory, none can fit him better; he being of a constitution and religion suitable to the service.

But his employment must be altogether at home, else the deluded fraternity will grow chill in their designs here; and to them there's no sport without a fire drake, or an *Ignis Fatuus*.

To be a little more plain; an Oxford incendiary is the excrement of ill-governed monarchy; the vast volume of treason wrapped up in an epitome; one that feeds the vulture prerogative with the carcase of the commonwealth, that it may disgorge into his own coffers; and makes a mule, to say no worse of Majesty, to carry him through all his own private designs against the publick.

Yet, notwithstanding his proper sphere is the court, there he shines a bright constellation of royal favour, though the whole kingdom beside take him for a prodigious comet, and behold him with the same countenance as they did that in the year 1618. Nor is it without reason, when the meanest prognosticator cries, that he portends the ruin of some great princes. Upon his influence depends the almanack of treason, exactly calculated for the several meridians of England, Scotland, France, and Ireland; for from thence you may judge of all eclipses between King and parliament, or tell what weather will be in Great Britain the whole year following.

Thus Jupiter and Mars, meeting in conjunction at York, with a direful aspect threatened misery to the nation; though it produced no effect, till an interposition of malignants at Shrewsbury, and an oblique course of Venus from Holland, bade us expect a deluge of blood.

Indeed it may serve for Great Britain and Ireland, with very little (or no) difference; for the tragedy and actors are the same, only the scenes are several, the better to dress out the plot, and make it seem more intricate: Thus the rare Irish commission was begotten of English parents, when the Earl of Antrim was made a godfather to the design; though Ormond had rather forfeit his honour and conscience, than say they were English hands which cut the protestants throats with an Irish knife.

But this is not all, the train of gunpowder reaches to Scotland; and there they light matches to blow up the fidelity of that nation: Which not taking effect upon the heads, then squib-cracks are tied to the very breech of Thule, to set fire on the highland wilderness; for in such

barren places is their harvest: Rare vipers! who thrive best out of the sun-shine, in the dark caves of barbarism and ignorance.

But stand off, or provide an antidote: The most prodigious serpent comes crawling this way; some monstrous African or American, for sure it is not of the British brood; yet every cavalier carries it in his bosom, like a tame snake: It is the commission of array, a very flying dragon hatched in a conventicle of spit-fires; an illegitimate by-blow to supplant the militia. It was spawned at Whitehall; there the cock-brained crew ingendered with their master's female understanding: At York it became an egg, O that it had then been crushed! But afterwards, scarce pen-feathered, it ventured a flight toward Hull; yet fell short, and was sore bruised. Notwithstanding this, it crept to Nottingham; and there, in hope of recovery, voided a standard with a declaration or two, evident symptoms of a bloody flux at hand.

But the leeches, not able to draw blood there, betook themselves westward toward Wales; and then fell to sucking at the nether postern of the kingdom: It was time then to cast the water of the state, and purge out the excrements of the body politick.

Now the game begins; room for the Roman actors: Here the bishops rack themselves in a pulpit, vomiting up daggers, like Hocus, to amaze the people; doctrine cannon-proof, and let the devil make application, so he can convert all to his Majesty's use. If the pope be commander in chief, it is but reason they should be major-generals; and for inferior officers, deans and arch-deacons the only colonels; prebends lieutenant-colonels; big-bellied parsons majors; vicars captains; curates ensigns: And for the rest, they cannot be wanting, when there are whole swarms of the same breed of caterpillars in both universities.

These are spaniels to the incendiary in hope of preferment: He leads them in couples, breeds them to fetch and carry after his own humour, and to be at the word of command: But the sport is, to see a dog handle a drum-stick; yet these docile creatures will do it, and beat up their drums in all churches and chapels, to alarm the people against reformation and the parliament. This black brigade are of the same lineage with the incendiary, he hugs them as his white boy: And to say the truth, there is not a hair's difference between them; the chief of the prelatical clergy being the principal, if not the only fire-men: And therefore it cannot be amiss to present them in the first rank of tragedians, seeing our scene is the precious university of Oxford.

As the prologue before the play, enter Canterbury, the pope's pigmy-champion, the meritorious traitor, the catholick demi-culvering, the Reverend Granado; who lived to set all on fire, yet escaped the martyrdom of hanging to be quenched upon a scaffold; whereas the other kind of death had been more suitable to his life, having always been a pendant in the ear of Majesty. This is he that took water lately at the tower, being bound for the Red Sea; but that, for his presumption in comparing himself with Christ and his apostles, and threatening Charon with the star-chamber, he over-turned the ferry-boat, and let him drop into purgatory: Thus it is to quarrel with a waterman.

A broom, a broom; sweep the stage: Here comes religion in slip-

shoes and sandals; mistress novelty's gentleman-usher clad in robes of antiquity; the bell-man of the Jewish temple; Aaron in the last edition; Wren turned robin-redbreast, as gay as the bird of Paradise, with his man Pocklynton at his heels: These two, like lightning and thunder, never parted; two diocesan exorcists, that conjured away all godly ministers by bell, book, and candle: Their charms were so strong, that nothing could lay them but a parliament, the kingdom's antidote.

Now single out Pocklynton from his master, and couple with him Heylin, two of Canterbury's prime beagles, and as famous as his breed of Smyrna cats. These two held a conspiracy against the sabbath; helped to rear up an altar, with the title of Christianum, set up the ten commandments over it, where they might plainly read themselves sabbath-breakers and idolaters; and yet continued to worship both it and the candlesticks, committing fornication with gold and timber. Nor is this all; Heylin can shew more tricks than one for a bishoprick: To make good the Roman calendar, he will prove St. George a real saint; and then upon this sandy foundation creates an imaginary honour to the most honourable order of the garter; as if the protestant nobility of this kingdom would be taken with Romish gewgaws, or pleased with such trifling fetches: Yet believe me, as the times went, it was a politick fetch for preferment.

And now we talk of preferment, enter Owen Glendour on horse back, Brute's cousin-german, and the top of her kindred, Welch Williams, the prelate of York: This is the pepper-nosed Caliph, that snuffs, huffs, and puffs ingratitude at the parliament, though they freed him from prison, and put his adversary in his room. Tell him of reformation, and you transform him to a turkycok: A jack-a-lent, made of a red herring and a leek, will not more inflame him, than the name of presbytery: Some kind heart take this incendiary and cool him, or vexation will consume him to ashes.

But I wonder how it comes to pass, that Armagh should be ranked here: The case stood otherwise once; nay, he ebbed so far from his archiepiscopal dignity, as to turn lecturer, and so brought himself into a possibility of heaven, till the old man began to doat upon the world again. I cannot tell to what I may attribute his apostasy; to his climate, or his conscience; his country, or his religion, or both; yet we have found him a right Irishman, and a second Spalato.

It's a rare mystery, that this pageant should be so persecuted by the rebels, as to fly for his life out of Ireland, and yet be able to digest them and their councils at Oxford. But, was it ever seen, that a bishop would be out with any that were in at the court? This is the prelates heaven; there they are all parallel; though distant in their ends, as in the circumference, yet united in the center: Give their ambition line enough, and you may decoy them whither you please: Thus our *quondam* Saint Patrick slipped into the bog at Oxford.

I should have done with them now, but that I find another in over head and ears; I mean the brewer in Pontificalibus, Duppa the formal dray-horse, that carries about holy-water in rundlets, to furnish the court, camp, and university: Davis the barber shaves his Majesty

with the very same : for there needs no wash-balls, when the exorcism scours beyond soap-suds. This is he that puts down Gunter in his firework protestations against the protestant religion; and then, in his Majesty's name, charges them upon the people. For the same purpose also, he frames enchanted prayers for Christ-church chapel; and so makes the organs, at once, pipe out impiety against heaven, and treason against the state. God bless Prince Charles, for this is his tutor : He cries to him, when you pray, say thus; but what? A Pater-noster or two, with a little collect and litany, after the tradition of his fathers; from which, my litany shall be, Good Lord deliver him.

But if you would know him better, let Stewart, the ghost of Arminius, appear, to bring in the catastrophe. These two are brothers, both having the whore of Babylon for their mother; and the sons of Pelagius by heretical adoption. The foundation of old Rome, saith history, was laid in blood; and these Romuli take the same course to be founders of new Rome here in England: The name of peace puts them into a fit of the cholick; it stings like a Tarantula, for nothing will cure them but the musick of war.

Now sound aloud : Avaunt ye black-coats, the court-pageants are entering; Strafford without a head: But, let him pass for a dumb show; the tyrant hath had his exit already by order of parliament.

Who comes next? What, Henrietta Maria! Sure our incendiary is an hermaphrodite, and admits of both sexes : The Irish rebels call her their generalissima; what she willed they acted: She set them on work, and they pay themselves their wages out of the protestants estates. Because the pope is turned out of doors, she makes the fatal sisters and furies of her privy-council, and proceeds so meritoriously manful, that Kenelm Digby consults now with his holiness, to have her set in the rubrick, by the name of St. Nemesis in breeches. How many breeding fits hath she had since the coming over of Madam Beldam? And no sooner delivered of one plot, but, within the month, a conception of another, I wonder at Neptune's rage against these two, mother and daughter, for they never crossed the sea but a tempest followed; which shews, that they were not of the Halcyon brood.

But the flame rises not high enough yet; therefore hasten away the two bellows-menders from Holland; Rupert and Maurice, Simeon and Levi: A miracle, that a phenix should bring forth two such vipers! If this be too bold, know that the game is begun, and then all fellows at football: But I spare them, though they are so unnatural, as not to spare that nation which bred them up.

Next, enter a gentleman in disguise, newly landed out of the ship called Providence; Ahitophel junior, with store of Sampson's foxes and firebrands: Pull off his vizard, and his name is George Digby. This is the beardless Solon; Lycurgus newly whipped out of longcoats into the privy-council; Treachery's man-midwife, and Machiavel's catamite; for by him were spawned those desperate aphorisms and positions, of his Majesty's wandering from his parliament. What we wonder at in the rest, is natural to him, being a native Spaniard, to have an antipathy to the weal of our nation; for an atheist, that hath neither religion, nor conscience to sway him, follows the constitution, and

ingrafted principles of his climate. The truth of this they knew well enough, that fetched him out of the senate to the court, and the Spanish Gilt-head swallowed the bait immediately: Faces about; fare-well to religion, honour, parliament, common honesty, and all; for he waited but for such an opportunity, as well as Colepeper and Dering, though the latter missed it.

More Spaniards yet? Bristol and Cottington, rare Peccadillo's! Imps of Spinola; two of Goudemar's jockies, that posted between Whitehall and Madrid, till at length they mortgaged England with the protestant religion, for a pension of Spanish Gennets, and bars of silver; which they have striven since to repay, together with the interest of pernicious counsels, and secret practices. Upon a return of the Indian plate-fleet, these hirelings will do any thing, even sacrifice their country, to those Gods of America.

Here comes a gentleman of the long-robe; Littleton, the egregious pickpocket, that would have stolen away the kingdom's purse from the parliament; which renders him, by the known laws, a most intolerable traitor. He promises his Majesty to make all good by law; but first intends to banish Dalton, Cooke, and the rest, as heterodox, pettyfoggers, and spurious authors. If no body will believe he can maintain the slander of rebels, yet his impudence can disdain all such scruples, though with arguments grounded upon a manifest contradiction to the state's fundamentals.

What he cannot do, Heath will: This Tetter converses altogether with old outworn records, to make good the case: He might do well then to come and search in the Tower, if he dare venture his neck upon the point, in a legal trial. In him we find it true, That an old man is twice a child; for he stands in fear of every bigger boy at court: Besides, he makes a fine hobby-horse of the prerogative; and tricks it ever and anon with illegal ribbands. He procreates proclamations also in private, yet avows the spurious issue as legitimate as acts of parliament, and so, upon pain of high displeasure, the subjects must own them; like the needy fornicator, that lays his brats at other men's doors.

There are more adulterers of the law: But stay, here is a post come to town with ill news: Oh Bristol! Bristol is lost! Up starts the Junto; Westward hoy! Off goes their parliament-purple, and away to Oxford. This rotten limb of the representative body boats itself as healthful and sound as the whole; and, having been catechised a while at court, would answer to no name but parliament. O prodigious! Nay, the renegado conventicle had the impudence to sit and vote the kingdom slaves; and, for this, thought themselves highly recompensed with a smile or two, from the supreme petticoat. No heaven now but there; they offer incense to traitors, and have the conscience to idolise an Irish rebel, a murderer of protestants; imitating, herein, the naked Indians, who worship the devil for destroying their kindred.

But the best of it is, this firework never did much mischief, though all ways have been tried, from the squib to the cannon; for they never durst stand to it yet: Always in motion; the curse of Cain pursues

them, as a just reward, that these, who chuse to live, should also die runagates.

What think ye then of Montrose? This lapwing incendiary ran away half-hatched from Oxford, to raise a combustion in Scotland: As his tutors in England, so he thrives best there, where is most ignorance. He raked up the remains of ancient barbarism, and soldered them together with creatures of like metal from Ireland; the very dross of both countries coagulated into an army. The first sight of them would convert a Sadducee, and make him confess a resurrection of the old heathen Picts and Kerns: Strange names they have! And, should a herald venture to reckon the genealogy, he might be taken for a conjurer: The repetition of twenty Mac's, O'Connor's, O'Brian's and O'Donnel's, were a charm for the gout, or an ague, beyond all the magneticks in chymistry.

This mountainous breed of Pagans, like the old earth-born giants, fight against heaven, bidding defiance to Christ and his gospel; concerning which they know no more than what belongs to blasphemy: Miserable then is that prince who counts such his best subjects! Most abominable is that cause, which cannot stand but with such supporters! Of late they domineered with superlative tyranny, and had, in conceit, swallowed up all Scotland; but now the monsters surfeit with their own blood: And, if ever they recover their stomachs, it will be but for a running banquet.

There is Ormond too, the juggling marquis, the new popin-jay duke, and, to give him all his titles, Lord Protector of the Rebels; for the wolves are brought now into the same fold with the sheep. They say commonly now, that there is not a rebel in Ireland: Are they not good men then at Oxford, to fight so long till they have left never a rebel? But the late peace confirms them good subjects, though rebels before: Thus, by entertaining this paradox for truth, the pye-bald marquis got his dukedom of Ossory.

Antrim is a rebel not worth the naming, nor that precious piece of iron-work, his duchess; yet I must needs say, she was a lady rarely marked out for two eminent husbands, the beds of Buckingham and Antrim; this latter more pernicious than a bed of scorpions.

Yet there is one marquis more, a wise one, God wot, Winchester, the man of Basing; but let him pass, he has not wit enough to be an incendiary. And for Newcastle, he is but a counterfeit marquis; at the best but a play-wright; one of Apollo's whirligigs; one, that, when he should be fighting, would be fornicating with the nine muses, or the Dean of York's daughters; a very thing; a soul traducted out of perfume and compliment; a silken general, that ran away beyond sea in a sailor's canvas: He, with his tinder-box of authority, first lighted the fire in the north, yet was so kind to see it quenched again, e're he left us.

But the western squib, Hopton, holds out still, and rages beyond gunpowder with *aqua vitæ*; but there are other ingredients of atheism joined to him, which make the blaze in the west shew so big, for he of himself is nothing now: The man lives toward the sun-setting, treads Antipodes of late to victory, and despairs of appearing east again; yet,

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to comfort him, because the parliament lay claim to his bald pate, the King bath given him a peruke of honour.

I had almost forgotten Goring, her Majesty's jeweller; she plundered the crown, and he conveyed away, converting all into arms and gunpowder: Rare philosophical transmutation! But this is the least part of his skill; for, in time of peace, he was so expert an alchymist, that he turned rags, and worse things, into gold and silver.

There is butcherly Jermyn too, contemptible Harry, the left leg of a lord; he that wraps up his treason in fine linen: He master of the horse? Mount the chicken upon an elephant; for he is a man of some substance, though little revenue; somewhat too ugly, in my opinion, for a lady's favourite, yet that is nothing to some; for the old lady, that died in Flanders, regarded not the feature. This feather-bed traitor must pass also for an incendiary; for justice put the gentleman into such a fright, that to make one shift he avoided another; and, at an ill season, took his long journey in Spanish-leather boots.

There are other whelps of Cataline; but it were endless to reckon up all. I shall conclude thus: What the poets feign of Hercules's Hydra, is truth of our incendiary: It is a fertile monster of many heads, for, by lopping off one, up starts a miraculous generation of many more: Then, as it cannot be imagined how he conquered that prodigious enemy, but by striking off all the heads at a blow; so the ready way to quell this, must be to bring the whole rabble at once to execution.

SEASONABLE ADVICE*

FOR PREVENTING THE MISCHIEF OF FIRE,

THAT MAY COME BY NEGLIGENCE, TREASON,
OR OTHERWISE.

Ordered to be printed by the Lord Mayor of London; and is thought very necessary to hang in every man's house, especially in these dangerous times.

Invented by William Gosling, Engineer.

Printed for H. B. at the Castle in Cornhill, 1648. In one sheet, broadside.

How many several ways, houses, towns, and cities, have been set on fire.

SOME have been burnt by bad hearths, chimnies, ovens, or by pans of fire set upon boards; some by clothes hanged against the fire; some by leaving great fires in chimnies, where the sparks or sickles,

* *Vide* the 239th article in the catalogue of pamphlets in the Harleian library.

breaking, fell, and fired the boards, painted cloaths, wainscots, rushes, matts, as houses were burnt in Shoreditch; some by powder, or shooting off pieces; some by tinder or matches; some by setting candles under shelves; some by leaving candles near their beds; some by snuffs of candles, tobacco-snuffs, burnt papers, and some by drunkards, as many houses were burnt in Southwark; some by warming beds; some by looking under beds with candles; some by sleeping at work, leaving their candles by them; so many have been burnt of several trades; some by setting candles near the thatch of houses; some by snuffs or sparks fallen upon gun-powder, or upon matts, rushes, chips, small-coal, and in chinks; so Wimbeldon was burnt: Some towns were burnt by malt-kilns; some by candles in stables; or by foul chimnies; some by candles amongst hemp, flax, and warehouses; some by candles falling out of their candlesticks; some by sticking their candles upon posts; some by links knocked at shops, stalls, cellars, windows, warehouses, doors, and dangerous places; some by carrying fire from place to place, where the wind hath blown about the streets, as it did burn St. Edmunds-Bury; some by warm sea-coal, cinders put in baskets, or wooden things, as did burn London-bridge: And some have been burnt without either fire or candle, as by wet hay, corn, straw, or by mills, wheels, or such like; all which hath been by carelessness: And some have been fired of purpose, by villainy or treason.

Orders to be observed, that fire may not happen.

IS, that every house-keeper, either himself, or one, by his appointment, that should be last up, see to the fire and candle, and to shut the cellar-windows, doors, casements, garret-windows, and to stop holes, and sinks, that fire may not come in by treason, or otherwise: To prevent treason that may come by wild-fire, is to stop the wild-fire simples, where they are sold. Seek to prevent fire at the beginning, and, by the sight of smoke, to look to it, for divers fires have been so prevented: Some have been prevented by smelling old wood, linen, or woollen burn; and some, by hearing the crackling of sticks, coals, or sparks of fire, have prevented mischief thereby: If you will use candle all night, let your candlestick be a pot of water brim-full, and set it where it shall stand, and then light a candle, and stick a great pin in the bottom of the candle, and let it slowly into the water, and it will burn all night without danger: If the wood under the hearth of a chimney be on fire, then take heed you do not open it too suddenly, before you cast water upon it, for, the air getting in, the fire will burst forth; therefore still throw water, and open it by degrees. And that the bricklayers should look better to the foundations of hearths and ovens, to prevent the hurts of fire: If chimnies be on fire, either wet hay, or straw, or a wet blanket, or a kettle of water hung over, or bay-salt cast into the fire, or a piece shot up into the chimney, will help it. And that the watch might be from day-light to day-light, at such a distance, that they may see and hear from one watch to the

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other ; that some might be upon gates, towers, or churches, if need be, to give notice to the watch below, upon any occasion, to prevent both enemy and fire.

Orders, that if fire should happen either by wild-fire, or otherwise, to prevent the miseries thereof.

THEN the bells, going backward, do give notice of fire ; and that all officers and others must keep the streets or lanes ends, that the rude people may be kept from doing mischief, for sometimes they do more harm than the fire ; and suffer none but the workers to come near, and all the streets, from the fire to the water, may have double rows or ranks of men on each side of the street, to hand empty pales, pots, or buckets, to the water, and to return full to the fire, by the other row or rank of people, on the same side of the street ; so, as the streets afford, you may have divers ranks ; and, by this order, water may be brought to quench it, or earth to choak it, and smother it, with that speed and plenty as need requires.

All those of higher or level ground should throw down water to run to the place where the fire is, and there to stop it, and others to sweep up the waters of kennels towards the fire. If water-pipes run through the streets, you may open one against the house that is on fire, and set another pipe in that upright, and, two or three feet lower than the height of the head of the same water, set in some gutter, trough, or pipe, unto the upright pipe, to convey the water to the fire ; for, under the foresaid height, it will run itself from high ponds, or from Sir Hugh Middleton's water, or conduit-heads, or from the water-houses, without any other help, into the fire, as you will have it : You may keep great scoops or squirts of wood in houses ; or, if you will, you may have in the parish a great squirt on wheels, that may do very good service.

Where wild-fire is, milk, urine, sand, earth, or dirt, will quench it ; but any thing else, set on fire by that, will be quenched as before : If there be many houses standing together, and are indangered by a mighty fire, before it can be quenched or choaked with earth, then you may pull down the next house opposite to the wind, and then earth and rubbish being cast upon the fire, and round about it, will choak the violence of the fire, besides the water you may get to do the like. Also it is necessary that every parish should have hooks, ladders, squirts, buckets, and scoops, in readiness, upon any occasion.

O ! the miseries of cities, towns, villages, and particular houses that have been burnt, where some could not recover their losses in thirty years after, and some never, which have been lamentable spectacles unto us, when many men, women, and children have been burnt in their houses ; and multitudes of people utterly undone, that saw all their wealth burned before their eyes. Besides, many have been hurt, many killed, and many burned, that came but to help to quench the fires. What lamentable cries frightenings and amazements there were to all sorts of people, some sick, some in child-bed, and some great

with child, to the terror of them all : And all was through the miseries of fire, that came by carelessness and wilfulness.

Therefore let the very sight of fire and candle put us in mind to prevent the like miseries that have come by fire, both in London and the parts of England; for great winds may rise suddenly, and enemies furies may do mischief. To master the elements is either to increase or decrease any of them; for, as air makes fire increase, so earth will choak it, and water will quench it.

Preventions of fires would save the often collections of money in all churches in England; all which is for the profit and safety of the commonwealth. As good order and care prevent our fear of fire, so a good life prevents the ways to sin. And, if every one mend one, then all will be mended. The Lord commandeth us to have care of our neighbours goods, Deut. xxii. For the love of our neighbour fulfilleth the law, Rom. xiii.

THE

FIVE YEARS OF KING JAMES,

OR,

THE CONDITION OF THE STATE OF ENGLAND,

AND THE RELATION IT HAD TO OTHER PROVINCES.

WRITTEN BY SIR FOULK GREVILL, LATE LORD BROOK.

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HOWSOEVER every kingdom and commonwealth may be both well and uprightly governed, and that good men may be the means to support it; yet there can be no such commonwealth, but, amongst the good, there will be some evil persons: These, whether by nature induced, or through envy and ambition, to the intent to satisfy their appetites, persuaded, do oftentimes enter into actions repugnant unto the felicity of good government and commonwealths, and, by evil causes and perverse deeds, do secretly, and underhand, seek to hasten and set forward the ruin and decay of the same: These things, because they happen contrary, and beyond expectation, are so much the more remarkable, by how much they are sudden and unexpected. And from hence it cometh, that no state of government can be said to be permanent, but that oftentimes those, said to be good, are by little and little convert-

ed unto those that be evil, and oftentimes changed from worse to worse, till they come to utter desolation.

Neither is this alone proper to our commonwealth, but to all; nor to foreign kingdoms, but to our own: For, although his majesty, at his coming to the crown, found us vexed with many defensive wars, as that in Ireland, that in the Low Countries, and almost publick against Spain, auxiliary in France, and continually in military employments; although he found it lacerated and torn, with divers factions of protestants, papists, and others, from amongst whom sprung some evil men, that endeavoured to set into combustion the whole state; yet, nevertheless, he established a peace, both honourable, and profitable, with all neighbour princes, and, by relation, through all Europe; so that neither our friends, nor our enemies, might be either feared or suspected.

After this general peace was concluded, and the working heads of divers papists were confined to a certain course of life, that is, peace: they now petition for toleration, for releases of vexation, to have liberty of conscience; and, forsooth, because they cannot have these things amongst them, they contrive a most horrible and devilish plot by gunpowder, to blow up the parliament, even the whole state and command of this kingdom, and so, at one puff, to conclude all this peace, and by that means to procure an unruly and unseemly avarice of this settled government; and this not so much to establish their own religion, for which they pretended it, but to establish their own power and preheminance, and to raise some private families to greatness and dignity, that so, faction being nourished, and that jurisdiction established, they might with great facility suppress whom they please, and support their own state. Thus may we see, that settled governments do cherish in themselves their own destruction, and their own subjects are oftentimes the cause of their own ruin, unless God of his mercy prevent it.



Of the domestick affairs, and of the lascivious course of such on whom the king had bestowed the honour of knighthood.

THIS evil being discovered by the Lord Mounteagle, and overpassed, divers discontents happened, some between the civilians and common lawyers concerning prohibitions; and, for that there was one Dr. Cowell who stood stifly against the Lord Cooke, divers discontents were nourished between the gentry and commonalty, concerning inclosure, and it grew out into a petty rebellion; which by the same was conjectured, not to happen so much for the thing itself, as for to find how the people stood affected to the present state, whereby divers quarrels and secret combustions were daily breaking out; in private families, one sided against another; and of these, protestants against papists, they thereby endeavouring to get a head, and from small beginnings, to raise greater rebellions and discontents, shewed themselves heady, and speak publickly, what durst not heretofore have been spoken in corners: In outward appearance, papists were favoured, masses almost publickly ad-

ministered, protestants discountenanced, dishonest men honoured, those, that were little less than sorcerers, and witches, preferred; private quarrels nourished, but especially between Scottish and the English duels in every secret maintained; divers sects of vicious persons, of particular titles, pass unpunished or unregarded, as the sect of roaring-boys, boneventors, bravado's, quarterers, and such like, being persons prodigal, and of great expence, who, having run themselves in debt, were constrained to run into faction, to defend them from danger of the law; these received maintenance from divers of the nobility, and not a little, as was suspected, from the Earl of Northampton; which persons, though of themselves they were not able to attempt any enterprise, yet, faith, honesty, and other good arts, being now little set by, and citizens, through lasciviousness, consuming their estates, it was likely their number would rather increase than diminish; and, under these pretences, they entered into many desperate enterprises, and scarce any durst walk the streets with safety after nine at night: So, to conclude, in outward shew, there appeared no certain affection, no certain obedience, no certain government amongst us.

Such persons on whom the king had bestowed particular honours, either through pride of that, or their own prodigality, lived at high rates, and, with their greatness, brought in excess of riot, both in clothes and diet. So our ancient customs were abandoned, and that strictness and severity, that had wont to be amongst us, the English scorned and contemned, every one applauding strange or new things, though never so costly, and, for the attaining of them, neither sparing purse nor credit; that prices of all sorts of commodities are raised, and those ancient gentlemen, who had left their inheritance whole, and well-furnished with goods and chattels, having, thereof, kept good houses unto their sons, lived to see part consumed in riot and excess, and the rest, in possibility, to be utterly lost: The holy estate of matrimony most perfidiously broken, and, amongst many, made but a May-game; by which means, divers private families have been subverted, brothel-houses in abundance tolerated, and even great persons prostituting their bodies, to the intent to satisfy their appetites, and consume their substance, repairing to the city, and, to the intent to consume their virtues also, lived dissolute lives. And many of their ladies and daughters, to the intent to maintain themselves according to their dignities, prostitute their bodies in a shameful manner; ale-houses, dicing-houses, taverns, and places of vice and iniquity, beyond measure, abounding in many places, there being as much extortion for sin, as there is racking for rents, and as many ways to spend money, as are windings and turnings in towns and streets; so that, to outward appearance, the evil seems to over-top the good, and evil intentions and counsels rather prospered, than those that were profitable to the commonwealth.

Of my Lord of Northampton's coming to honour; the cause of the division between the Hollanders and the English; between the Scottish and English; between the English and Irish.

NOW Henry Howard, youngest son of the Duke of Norfolk, continuing a papist from his infancy unto this time, beginning to grow eminent, and being made famous heretofore for his learning, having been trained and brought up for a long time in Cambridge, by the persuasion of the king, changeth his opinion of religion in outward appearance; and, to the intent to reap unto himself more honour, became a protestant, for which cause, he was created Earl of Northampton, and had the king's favours bountifully bestowed upon him; first, the office of privy-seal, then the wardenship of Cinque-Ports, and, lastly, the refusal of being treasurer: This man was of a subtle and fine wit, of a good proportion, excellent in outward courtship, famous for secret insinuation, and for cunning flatteries, and, by reason of these flatteries, because a fit man for the conditions of those times, and was suspected to be scarce true unto his sovereign; but rather endeavouring, by some secret ways and means, to set abroad new plots, for to procure innovation. And, for this purpose, it was thought he had a hand in the contention that happened amongst the Hollanders and English, concerning the fishing, the Hollanders claiming right to have the fishing in the Levant, and the English claiming right; upon this contention, they fell from claim, to words of anger, from words of anger, to blows; so that there died many of them, and a star was left for further quarrel, but that it was salved by wise governors, and the expectation of some disappointed.

Nevertheless, the papists, being a strong faction, and so great a man being their favourer, grew into their head's malice, and endeavour to make the insolency of the Scots to appear, who, to this intent, that they might be the more hated of the English, not contented with their present estate, would enter into outrages; some counterfeit the seal-manual, others taunt the nobility in disdain, and a third sort secretly contrive the English's death; whereby it happened, besides common clamour, that there were added secret discontents of private persons, which caused jealousy to happen in those two nations. But his majesty, being both wise and worthy, foresaw the evil, and prevented it by proclamation, by which means, these clamours are stopped, and the injury and offences of both parties redressed. The Irish seeing these sores, and hearing of these misdemeanors, for they have their intelligents here also, begin to grow obstinate, and make religion a pretence, to colour their intentions; for which cause they stand out, and protest loss of life and goods, rather than to be forced from their opinion, being wavering and unconstant, rather thirsting for rebellion, to the intent to purchase their own liberty, than peace; every new alteration gives occasion of discontent, and causes new complaints to be brought to the king's ear, under pretence whereof, they grew contemptuous to their governors, and haters of the English Laws.

The captains and soldiers grew negligent for want of pay, the great men envying one another through private covetousness, and many insolencies, being suffered, cause there also, to be nourished, many misdemeanors, to the ruin of that government.

These things, being thus handled, administer occasion to the papists to hope for some alteration and change. And that, as a body that is violent consumeth itself, without some special cause to maintain it, so these occurrences will be the cause of their own destruction. At this time, there was a leaguer in Denmark, and, shortly after, another in the Low Countries; but, to what end their beginnings were intended, is yet unknown.

The rising of the Earl of Somerset; his favour and greatness with the King, and his parentage, and discontent.

AMONG other accidents that happened about these times, the rising of one Mr. Carr was most remarkable; a man born of mean parentage, inhabitant in a village near Edinburgh, in Scotland, and there, through the favour of friends, was preferred to his Majesty to be one of his pages, for he kept twelve, according to the custom of the French, and so continued it as long as he was in Scotland; afterwards, coming into England, the council thought it more honourable to have so many footmen to run with his Majesty, as the Queen had before; these youths had clothes put to their backs, according to their places, and fifty pounds a-piece in their purses, and so were dismissed the court.

This youth, amongst the rest, having thus lost his fortunes, to repair them again, makes haste into France, and there continued, until he had spent all his means and money: So that now, being bare in a strange country, without friends, or hope to obtain his expectation, he returns back for England, bringing nothing with him but the language, and a few French fashions; nevertheless, by the help of some of his countrymen, and ancient acquaintance, he was preferred unto the Lord Hays, a Scotchman, and favourite of the King's, to wait upon him as his page. Not long after, that lord, amongst many others, was appointed to perform a tilting, who, bearing an affection to this young man, as well in respect he was his countryman, as that he found him to be of a bold disposition, comely visaged, and of proportionable personage, commixed with a courtly presence, prefers him to carry his device to the King, according to the custom in those pastimes used: Now when he should come to light from off his horse, to perform his office, his horse starts, throws him down, and breaks his leg: This accident, being no less strange than sudden, in such a place, causes the king to demand who he was; answer was made, his name was Carr. He, taking notice of his name, and calling to remembrance, that such a one was his page, causes him to be had into the court, and there provided for him, until such time as he was recovered of his hurt: After, in process of time, the young man is called for, and made one of the bed-chamber to his Majesty; he had not long continued in his place, before (by his

good endeavours, and diligent service in his office) the King shewed extraordinary favour unto him, doubling the favour of every action in estimation, so that many are obscured, that he may be graced and dignified.

Thus the hand of the diligent maketh rich, and the dutiful servant cometh to honour; he, of all others, either without fraud to obtain, or desert to continue it, is made the King's favourite; no suit, no petition, no grant, no letter, but Mr. Carr must have a hand in it; so that great rewards are bestowed upon him by suitors, and large sums of money by his Majesty; by which means his wealth increased with his favour, and with both, honours: For virtue and riches dignify their owners; being, from a page, raised to the dignity of knighthood. After his favour increasing with his honours, there was no demand but he had it, no suit but he obtained it, whether it were crown-lands, lands forfeited or confiscated; nothing so dear, but the King bestowed upon him, whereby his revenues were enlarged, and his glory so resplendent, that he drowned the dignity of the best of the nobility, and the eminency of such as were much more excellent. By which means, envy (the common companion of greatness) procures him much discontent, but yet, passing through all disadvantages, continues his favour; and men, being drawn to applaud that which is either strange or new, began to sue him, and most to purchase him, to be their friend and assistant in court; so great and eminent was his favour.

Of the breach that happened between the Earl of Essex and his Countess; her hatred towards him; his lenity; her lightness; his constancy.

NOW, the cares of the vulgar being filled with the fortunes of this gentleman, it ministered occasion to pass to their opinions, concerning his worth and desert; some extol and laud his virtues, others the proportion of his personage, many his outward courtship, and most, as they stood affected, either praised or dispraised him, insomuch that, amongst the rest, the Countess of Essex (a woman at this time not greatly affecting her husband) and withal, being of a lustful appetite, prodigal of expence, covetous of applause, ambitious of honour, and light of behaviour, having taken notice of this young gentleman's prosperity, and great favour that was shewed towards him above others, in hope to make some profit of him, most advances him to every one, commending his worth, spirit, audacity, and agility of body, so that her ancient, lawful, and accustomed love towards her lord begins to be obscured, and those embraces, that seemed heretofore pleasing, are turned into frowns, and harsh unseemly words usher her discontents unto her husband's ears.

The good Earl carrying an extraordinary affection towards her, and being a man of a mild and courteous condition, with all honest and religious care, ready, rather, to suffer than correct these outrages, patiently admonisheth her to a better course of life, and to remember, that now all her fortune dependeth upon his prosperity, and therefore

she offered more injury to herself, than hurt unto him ; yet, nevertheless, she persisted, and, from bare words, returned to actions, thereby giving people occasion to pass their censure of this disagreement ; some attributing it to the inconstancy and looseness of the countess, others to the earl's travels, and that in his absence she continued most unconstant, of a loose life, suffering her body to be abused ; and others, to make a shipwreck of her modesty, and to abrogate the rights of marriage ; but most, because she could not have wherewith to satisfy her insatiate appetite and ambition, her husband living a private life.

For these causes, I say, she run at random, and played her pranks as the toy took her in the head, sometimes publickly, sometimes privately, whereby she disparaged her reputation, and brought herself into the contempt of the world ; yet, notwithstanding, the Earl retained her with him, allowed her honourable attendance, gave her means according to her place, and shewed an extraordinary affection, endeavouring rather by friendly and fair persuasions to win her, than to become rigid over her.

But these things little avail, where affections are carried to another scope, and those things, that, to the judgment of the wise, become fit to be used, are of others contemned and despised, so that almost all men speak of the looseness of her carriage, and wonder that the earl will suffer her in these courses ; whereupon he modestly tells her of it, giving her a check for her inordinate courses, shewing how much it both dishonoured him, and disparaged her, in persisting, in the eye of the world, after so loose and unseemly a sort ; desiring her to be more civil at home, and not so often abroad ; and thus they parted.



Of my Lord Treasurer's death. Of Mr. Overbury's coming out of France ; his entertainment ; he grows into favour.

MY Lord Treasurer Cecil growing into years, having been a good statesman, the only supporter of the protestant faction, discloser of treasons, and the only Mercury of our time, having been well acquainted with the affairs of this commonwealth, falls into a dangerous sickness, and, in process of time, through the extremity of the malady, dies ; not without suspicion of poison, according to the opinion of some ; others say of a secret disease, some naturally, and many not without the privity of Sir Robert Carr ; and the reason of their opinion was, because the King, upon a time, having given Sir Robert the sum of twenty thousand pounds, to be paid by my Lord Treasurer, Sir Robert Carr was denied it, upon which denial, there grew some difference between them ; the King was privy to it after this manner : My Lord, having told out five thousand pounds, laid it in a passage-gallery ; the king demands, Whose money that was ? answer, was made by my Lord Treasurer, That it was but the fourth part of that which his Majesty had given to Sir Robert Carr ; whereupon the King retired from his former grant, and wished Sir Robert to satisfy himself with that, holding it to be a great gift : He, being thus crossed in his expectation, harboured

in his heart the hope of revenge, which after happened, as was suspected; but it is not certain, therefore I omit it.

Upon the death of this gentleman, Mr. Overbury (sometime a student of the law in the Middle-Temple) was newly arrived out of France; who having obtained some favour in court beforetimes, because of some discontents, got licence to travel, and now, at his return, was entertained into the favour of Sir Robert Carr; whether it proceeded of any love towards him, or to the intent to make use of him, is not certain; yet, nevertheless, he puts him in trust with his most secret employments; in which he behaves himself honestly and discreetly, purchasing, by his wise carriage in that place, the good affection and favour not only of Sir Robert, but of others also. In process of time, this favour procures profit, profit treasure, treasure honour, honour larger employments, and, in time, better execution: For, where diligence and humility are associated in great affairs, there favour is accompanied with both; so that many courtiers, perceiving his great hopes, grew into familiarity with him; the knight's expectations are performed, and his business accomplished, rather more than less, according to his wishes; so that, taking notice of his diligence to outward appearance, he gives him an extraordinary countenance, uniting him into friendship with himself, insomuch that, to the shew of the world, his bond was indissoluble, neither could there be more friendship used, since there was nothing so secret, nor any matter so private, but the knight imparted it to Mr. Overbury.



*Of Mistress Turner's life, how the Countess and she came acquainted.
The combination of the Earl's death.*

THE Countess of Essex, having harboured in her heart envy towards her husband even until this time, makes her repair unto Mistress Turner, a gentlewoman that, from her youth, had been given over to a loose kind of life, being of a low stature, fair visage, for outward behaviour comely, but in prodigality and excess most riotous; by which course of life she had consumed the greatest part of her husband's means, and her own; so that now, wanting wherewith to fulfil her expectations and extreme pride, she falls into evil courses, as to the prostitution of her body to common lust, to practise sorcery and incantments, and to many, little less than a flat bawd; her husband, dying, left her in a desperate state, because of her wants; by which means she is apt to enter into any evil accord, and to entertain any evil motion, be it never so facinorous. A doctor's wife, who was, during his life, her physician, and in that time she having been entertained into her company, his said wife by that means procured further acquaintance, being near of the said disposition and temperature, as *pares cum paribus facile congregantur*; from thence it happened, that she was suspected, even by her means and procurement before this, to have lived a loose life, for who can touch pitch and not be defiled? I say, having some familiarity with this woman, and now taking some discontent at

her husband more than heretofore, by reason of her falling out with him, and his sharp answers, as she conceives, to her, repairs to her house, and there, amongst other discourses, disgorges herself against her husband, whereby the cause of her grief might easily be perceived. Mistress Turner, as feeling part of her pain, pities her, and in hope of profit, being now in necessity and want, is easily drawn to effect any thing that she requires; whereupon, by the report of some, it was concluded at this time between them to administer poison to the earl; but, not taking effect according to their expectation, the countess writes unto her to this purpose:

‘ Sweet Turner, as thou hast been hitherto, so art thou all my hopes of good in this world: My lord is as lusty as ever he was, and hath complained to my brother Howard, that he hath not lain with me, nor used me as his wife. This makes me mad, since of all men I loath him, because he is the only obstacle and hinderance, that I shall never enjoy him whom I love.’

The earl having overpassed this evil, and continued still in his pristine estate, procured not any affection, but more hatred and loathsomeness; so that it burst forth daily to my lord’s great discontent, and draws her headlong into her own destruction.

Sir Robert Carr made Viscount Rochester, the acquaintance between my Lord of Northampton and him, and the new affection of the Countess.

THE King taking great liking to this young gentleman, to the intent that he might be no less eminent in honour, than he was powerful in wealth and substance, adorns him with the title of Viscount Rochester, and bestows the secretariship of state upon him, so that his honour and his wealth make him famous to foreign nations. These things coming to my Lord of Northampton’s ears, having been a long time favourite in court, and now grown into years, and, by reason thereof, knowing the favour of the king to depend upon many uncertainties; and, although at this time he was the greater actor in state affairs, yet, if this young man continued his height of glory, all his dignity would either be abated, or overshadowed, and that he had not that free access to the King’s ears, which he had wont to have; endeavoureth as much as in him lieth to make this courtier either to be wholly his, or dependent upon his favour, that so, having relation to him, he might make use of his greatness. And for this purpose he begins to applaud the wisdom and government of the Viscount, his virtues, outward courtship, and comely carriage, and, to conclude, holds him a man of no less worth and desert, than any about the King; neither were these things spoken to private or particular persons alone, but even in the ears of the King, to the intent to confirm the King’s favour towards him.

These things coming to this gentleman’s ears, he takes it as a great favour from so great a personage, and therefore so much the more admires his own worth, raising his carriage above his wonted course, and in hope of better things, applauding every action performed by the earl;

by which means there grows a kind of community between them, and there wants nothing but intercourse of speech for confirmation of acquaintance, and procuring further relation either to other. Time offers opportunity; the earl and he meet, and each changeth acquaintance with acquaintance of greater familiarity, so that many times letters passed between them in their absence, and courtly discourses, being present, by which means on all hands a confident amity is concluded.

In these times the Countess of Essex being a spectator of those, and perceiving this viscount to be still raised up unto honours daily, in hope of greater, is the more fired with a lustful desire, and the greater are her endeavours by the instigation of some of her friends to accomplish what she determined: For greatness doth not qualify, but set an edge upon lustful appetites, and, where the most means are to maintain it, there the greater affections are cherished.

The course she takes to procure affection; she combines with Doctor Forman; they conclude to bewitch the Viscount.

IN these furious fits, she makes her repair to Mistress Turner, and begins a new complaint, whereby she makes manifest an extraordinary affection towards this young gentleman, so that she could not rest without his company; neither knew she any means to attain her ends, there being no relation nor acquaintance between them: Whereupon, Mistress Turner, being still her second, and ready to put an evil attempt into execution, concludes with the countess to inchant the viscount to affect her; and, for this purpose, they fall acquainted with one Doctor Forman, that dwelt at Lambeth, being an ancient gentleman, and thought to have skill in the magick art: This man by rewards and gifts was wont to join with Mistress Turner, who now, to the intent to prey upon the countess, endeavour, the best they may, to inchant the viscount's affection towards her: Much time is spent, many words of witchcraft, great cost in making pictures of wax, crosses of silver, and little babies for that use, yet all to small purpose: At length they, continuing in their sorcery, advised her to live at court, where she had free access without controul, though of small acquaintance with him, whom she most respected, nevertheless, shewing an affable countenance towards him, hoping, in process of time, to attain that she required. Time offers opportunity, and, amongst others, at length these two fall into league; the countess, being joyful of her prey, admires him, and uses all kindness that may be to intrap him: He, whether by these enchantments, or by the lightness of his own disposition carried, is as much besotted, numbering her amongst the best women, and doubling every action in his estimation, insomuch that he could scarce rest but in her company; whereupon their meetings grew frequent, and discourses pleasant, by these means inflaming the fire of a lustful appetite.

These things, having happened so well to her expectation, cause a great love towards this good couple, viz. Doctor Forman and Mistress Turner, soliciting them with letters, with money, and large promises, to continue still their friend; they willing to make use of their wealth, more than expecting any good they could accomplish by their art, persist amongst her employments: Mistress Turner makes trial for herself, by which means, many slights and accustomed tricks are practised, and now reported to return to the hurt of many; for, a woman's hands being once entered into the act of sin, she runs headlong to her destruction, turning those evil acts to evil ends, and endeavouring to purchase by that means profit and commodity.

How it was thought the Earl of Northampton had a hand in the business, who invites the Viscount to supper. The Countess and he meet; places of meeting are appointed. The Earl made Chancellor of Cambridge.

IT was vulgarly opinionated, that the Countess of Essex, having sustained these discontents with her husband, acquainted her uncle, the Earl of Northampton, of her affection especially towards the viscount, who weighing the profit that might redound to his own employments, if there were such affinity had between them, seemed to give a liking towards it, and endeavoured rather to further it, than at all to dissuade her, or give her that honest and good counsel to be dutiful to her husband, as was fitting. However, the first meeting that they had, wherein there was any conference, was at the earl's house, who invited the viscount to supper, and, there finding the countess, they at their pleasure appointed meetings for further discourses. But, whether there was any one made privy to these things, it is not evident.

But from this time the countess and viscount continued their loose kind of life, and, as was commonly suspected, had further relation then was fitting, to the great disparagement of them both, and dishonour of so noble a house; what the issue of these things are, continues in obscurity, notwithstanding the Earl of Northampton is much blamed, the countess defamed, and the viscount himself for his looseness suspected.

Now was this lord propounded at the regent-house to be Chancellor of Cambridge; the scholars fall into divers opinions, and the Ramists propounded the prince, to oppose him; this election passed on the earl's side; he refuses, but still flatters the scholars, makes the King acquainted with it, and though willing to undertake it, yet shewing an unwillingness, endeavoured rather to be urged to it, than receive it voluntarily; this was imputed, because of his opposing the prince, but the truth was to perceive, whether the scholars' affections were settled upon love and respect unto himself, or merely to depend upon his greatness. The King writes in his behalf to the vice-chancellor. They proceed to the new election, the earl again is chosen, his title sent him, and he in requital sends many and plausible letters; and, that

they might be the more acceptable, being sent to scholars, wrote to them in Latin; it is intolerable the flattery that he used.

Overbury grows into grace with the King; is made a knight. The intercourse between the Countess and the Viscount made known to Overbury.

AFTER some continuance of time, Mr. Overbury grows eminent in court, as well by reason of the viscount's favour, as the good and careful diligence that he had in court employments; so, that now comparing his worth with his wealth, he is had in more respect, and the honour of knighthood bestowed upon him, with the hope of better things; this, howsoever in itself it be not valuable, yet in speculators it striketh a doubt, especially in the viscount, for sovereignty and love can abide no paragon.

Things that, at the beginning, proceed with modesty, are little or nothing regarded. But, when men grow old in such things that are hateful, they make every place alike with a blushless face, committing them to the open view: By this means Overbury came acquainted with this intercourse between the viscount and the countess; for now they, having had some time of familiarity and intercourse in remote parts, shame not to commit the sin of venery in the court, and that to the privity of Sir Thomas, who both loaths and hates what he sees, avoiding rather than intruding himself to the knowledge of it; neither meddles he any way or other with it, but lets them alone in their vicious courses, and rather seems to be ignorant, than take any notice of it.

Nevertheless, he is employed to carry letters to and again between the countess and the viscount; some to Paternoster-Row; some to Hammersmith, and others to other places of meeting, which were appointed between them, by which means, comparing both actions together, he entered into the secrets of this mystery, and became acquainted with more things than the viscount would have had him, from whence a kind of jealousy was carried towards him.

Of the second complaint of the Earl of Essex. The Countess combines with Turner to bewitch him; it taketh effect. Forman's death: One Gresham is entertained into the business.

NOW the Earl of Essex, perceiving himself to be rather less regarded than any whit at all esteemed, enters into a new discourse with his lady, with many protestations both of his constancy and love towards her; but withal tells her of her looseness, of the report of the vulgar, and what a strange course of life she led, contrary to all piety and honesty, which stung the countess to the heart, and more increased and augmented her malice towards him, so that in a great fury she takes her coach, and repairs to her ancient acquaintance Mrs. Turner, who,

according to her old custom, is ready to perform any evil act, and there they combine to bewitch the earl, and procure frigidity *quoad hanc*: For this purpose Dr. Forman is consulted, for the procuring of means; pictures in wax are made, crosses, and many strange and uncouth things (for what will the devil leave unattempted to accomplish their ends?) Many attempts failed, and still the earl stood it out. At last, they framed a picture of wax, and got a thorn from a tree that bore leaves, and stuck upon the privy of the said picture, by which means they accomplished their desires.

This being done according to her expectation, she repairs to her house at Chartley, and thither the earl comes to her; but, whether he was more lusty than she expected, or what other accident happened, it is unknown; nevertheless, she grew jealous of her art, and falls into a great fear, that all their labour was lost, whereupon she wrote a letter to Dr. Forman to this effect:

Sweet Father,

ALTHOUGH I have found you ready at all times to further me, yet must I still crave your help; wherefore I beseech you to remember, that you keep the doors close, and that you still retain the lord with me, and his affection towards me; I have no cause but to be confident in you; although the world be against me, yet heaven fails me not; many are the troubles I sustain, the doggedness of my lord, the crossness of my enemies, and the subversion of my fortunes, unless you, by your wisdom, deliver me out of the midst of this wilderness, which I intreat for God's sake.

Your affectionate loving daughter,

From Chartley.

FRANCES ESSEX.

This letter, coming to the hands of the old master, procures a new attempt, and now he goes and enchants a nutmeg and a letter; one to be given to the viscount in his drink, the other to be sent unto him as a present; these things being accomplished, he, not long after, died, leaving behind him some of those letters, whereby the countess had intercourse with him, in his pocket, which gave some light into the business, amongst which this same was one.

Dr. Forman being dead, Mrs. Turner wanted one to assist her; whereupon, at the countess's coming up to London, one Gresham was nominated to be entertained into this business, and, in process of time, was wholly interested in it. This man was had in suspicion to have had a hand in the gunpowder treason, he wrote so near in his almanack; but, without question, he was a very skilful man in the mathematicks, and, in his later time, in witchcraft, as now suspected, and therefore the fitter to be employed in those practices, which, as they were devilish, so the devil had a hand in them.

*The Countess sends the Viscount this letter, enchanted by Dr. Forman :
Places of meeting appointed, their intolerable looseness, and Poets
verses upon them. The beginning of their fall.*

UPON her return she sends congratulations to the viscount, and, with those, the letter sent her by Dr. Forman; he reads it, and, the more he reads it, the more is intangled: For no man knows the miseries that are contained in evil arts, and who can withstand the words of evil tongues? Whereupon he returns answer, and new places of meeting are assigned, amongst the rest, one at Hammersmith: In the mean time, the viscount makes dispatch of his business, leaving things half done, half undone, to the intent he might meet her, who had now staid for his coming above two hours, and, being met, they solemnly saluted each other, fall into divers discourses, and insinuating phrases, from words to deeds, and from speaking to acting the sin of venery. The countess having obtained what she desired, and the viscount caught in the net of adulation, the more he strives to be loosed, being caught the faster, lust, having, by this means, got liberty, being covered with greatness, like a fire long concealed in a pile of rotten wood, burst forth with all looseness and licentiousness; places of more frequent and private meetings being concluded between them, and persons fitting for their purposes being acquainted with their proceedings; watchwords are given. All things, having relation to a certain end, make them more boldly and safely to accomplish that which both time and memory cannot demonstrate in former history.

Now these good parts, which seemed heretofore to be hopeful in the viscount, consume to cinders, and the corruption remains to brand him in the forehead for his ill living; his modesty becomes eclipsed, his behaviour light, his carriage unseemly in his place; nothing so costly, no tyre so uncouth, but at all costs and charges he obtains it for the increase of favour; new fashions are produced, that so he might shew more beautiful and fair, and that his favour and personage might be made more manifest to the world; and for this purpose yellow bands, dusted hair, curled, crisped, frizzled, sleeked skins, open breasts beyond accustomed modesty, with many other inordinate attires, were worn on both sides to the shew of the world, so that, for the increase of dishonest appetites, they were abundantly practised and praised.

Surfeiting thus upon pleasure, having been before accustomed unto hardness, causeth him to fall into all manner of forgetfulness; letting all things go to wreck, careless in attendance, neglecting state affairs, ignorant of his own worth, and subjecting himself to the lustful appetite of an evil woman, accounting no time so well spent, nor hour deemed so happy, as when dalliance and pleasant discourses passed between them, either in words or writings; so that in him may be verified the old saying of the poet :

*Non facili juvenum multis e millibus unum
Virtuti pretium, qui putat esse suum ;
Fallit eum vitium specie virtutis et umbra
Cum sit triste habitum vultuque veste severum,
Nec dubio tanquam fruge laudatur avorum.*

Of thousand youths there scarce is one
That Virtue valueth as his prize
For Vice deceives him, and alone
The shew of Virtue binds their eyes ;
Although their countenance pensive be,
Their garments and their habits grave,
Yet all their fruit doubtless we see
Is lust and glory that they crave.

These things lay him open to the ill-affection of them that hate him, and lay the foundation of his utter subversion, since the eyes of all men are upon such as are eminent ; and as black upon white is soonest discerned, so evil conditions, and lascivious affections, are soonest perceived in such persons.

The faithfulness of Sir Thomas Overbury unto the Viscount, the advice he gave him contemned. Favours are more bestowed upon him ; matter of the privy-council.

THIS course of life, being somewhat strange to those that were ignorant of these designs, gives new occasion of wonder and admiration, how he should continue still his favour : many things being left undone, others done to the half, insomuch that all must lie upon Overbury's neck ; and this doth he honestly, and to the viscount's credit, attributing every action to his doing, although of him neglected : Answers for him, in his absence, hastens dispatches in his presence, furthers the requests of suitors, and, through the neglect and carelessness of the viscount, grows in greater credit and esteem, so that his carefulness, sufficiency, and diligence, make him become eminent, and beloved both of the King and council.

Yet nevertheless he lessens his own worth, gives all the dignity to the viscount ; enquiring how the people stood affected towards him, finds many complaints, and some injuries to be done unto him, who, being blinded with pleasure, overslips, or lets them pass with small respect ; whereupon he takes occasion, at a time convenient, to utter these, or the like words unto him : Sir, howsoever other things may pass either with small regard, or be smothered with honour and greatness, yet such things, as lay a man open to obloquy and contempt, can hardly be obscured in a person so publick and eminent as your lordship is ; which things are often esteemed to be in a man that outwardly seemeth

light and effeminate, or inwardly wanteth the ballast of government to poise external actions.

Of a truth, sir, he it spoken without offence, the court calls your modesty into question, and fears that these honours, that should be hereditary to noble personages, will be obscured with eminent evils, and blemished with levity and inconstancy. These, with many other discourses, having, at this time, past between them, sounded something harshly in the viscount's ears, as all good counsel becomes evil to those that are evil. And, in a kind of anger, he flung from him, though undeserved, yet nevertheless all his countenance and favour was not wholly obscured, but that he might still enjoy that which he expected, which was hope of preferment.

More favours are bestowed upon the viscount, being called to be one of the privy-council; which honour, howsoever it was great, and more than was expected, yet, because he was young, one that to the opinion of the world was of no education, literature, and experience (besides those inordinate courses) brings him into further contempt of the world, so that every man would take the freedom of his language, and speak harshly of these proceedings; Some condemning his course of life, others his insufficiency, because of his youth, and most his want of experience, by which means his greatness overtops his substance; and, as a ship without ballast is tottered to and again to the terror of those that are in it, in a storm and high water; even so these honours, thus suddenly bestowed upon him before his due time, lay him the more open to the evil opinion of the envious, and, with some, do sooner hasten his ruin: For which cause, it behoves such as are thus drawn up merely by fortune, either to be possessed with such virtues aforehand, that thereby they might maintain themselves in their greatness, or else to expect a sudden overthrow at a time unexpected.

B. 2. Speeches of the Lady Elisabeth's marriage with the Palsgrave: Conditions concluded upon. A. 1. The Prince takes dislike at the Viscount. The Prince's death, rumours upon the same.

NOW Prince Henry was living, and having some intelligence of the loose kind of life which the viscount led, and being something jealous of him, because of that he heard, doth utterly dislike him, forbears his company, and, whether for that, or some other cause, it is unknown, falls flat at odds with him, not once giving him any countenance, or vouchsafing him his countenance.

Not long after, as it might be about the beginning of November, he fell sick, and continued so some weeks, or little more; the malady increasing (lying in his head) he dies. A man may say of this prince, as was said of Mæcenas, both for wisdom and strength of body, there was not the like to be found among the English: The hope of England! Strange was the accident, and many the rumours that ensued upon his death. Some said, that a French physician killed him, others that he was poisoned; again, others thought that he was bewitched; yet no

certainly could be found, but that he died a natural death. This accident filled all the kingdom with lamentations, and caused the wedding, that followed at Candlemas after, to be kept in sable. The funeral was performed in great state, and with more grief; much might be said, but I leave it. My purpose being only in brief to set out these matters to memory, that after-ages might see the evil of our times, where the greatest part of many courtiers actions are to find out tricks, how to circumvent their fellow-servants, and some, if it were possible, to dispossess the King of his dignity, as hereafter shall be shewed; so many are the discontents that are cherished among them.

These domestick affairs having thus happened, and the death of the prince filling the court with sorrow, and the court being full of other employments, by reason of the marriage that was to be had with the Palsgrave of the Rhine and her Grace, who was now marriageable, passed over the rest in silence. The match is concluded, and great expectation and provision for his coming over to perform the ceremonies of matrimony are made, at whose coming, many rumours are spread abroad: First, that the Spaniard took this to the heart, and therefore laid wait to do him some mischief by the way.

That there was a ship of pocket-pistols come out of Spain, and that it was intended by the papists to have made a massacre; and that Northampton did utterly oppose this match, for he was as great an enemy to the Dutch and protestants, as ever Cecil was their friend; and that many priests were arrived, and such-like: Yet, nevertheless, it was accomplished with great pomp and state, all or the greatest part of the nobility being there present; a masque in the great banqueting-house; the gentlemen of the Middle Temple, and others of Gray's-Inn: A third, besides three days tilting, and running at the ring, the King himself in person, with the young prince that now is King, besides many other pastimes, both stately and becoming the dignity of a King.

At this time there was a proclamation against fardingales, but to little purpose, for they rather increased greater, than diminished; for, where a thing is once grown into a habit, it is hardly to be restrained.

There was another proclamation, upon the former report of the coming of a ship of pocket-pistols out of Spain, that no man should carry a pistol in his pocket, nor any that should be less than a foot long in the barrel. About this time also the papists were disarmed, and many strange rumours raised; which things, because they were uncertain, I omit to relate them, being rather pertinent unto state, than unto profit.

Ambassadors sent into Russia, Sweden, and other provinces, for the renewing of friendship. Of the League in the Low-Countries. The rumour of it.

MANY outrages having been, now of late, committed by the Archduke upon the states, divers rumours are raised concerning the leaguer, both strange, and almost universal; for there were parties, the pope,

the Emperor, the King of Spain, and a cardinal, to aid the Archduke against the states. The foundation of this combustion was laid upon the sacking of a protestant town in Brabant; whereupon, grave Maurice drew out ten-thousand into the field, and some few blows happened; and it was suspected it would have grown further, and that there would have been a general opposition between protestants and papists; but, by means of the pope and the King, it was agreed, and went no further, but left a scar to give a new occasion.

The war of Denmark was also brought unto a happy end, and the King retained his right there; not long after the issue whereof, ambassadors were sent into Muscovy, to renew the league of friendship with the Emperor, who now being brought low, by continual wars, was glad to entertain such a motion. Traffick is confirmed there with that nation, and, from thence, the same ambassadors went to Sweden, to conclude a league of friendship, the reason whereof was thought to be, for the ancient amity, that had been had, heretofore, between the King of that nation; from thence, they went to the Duke of Cleves, and so to the Emperor, with salutations.

*The suit of the Cloth-workers, my Lord of Rochester stands for them.
The complaint of the Countess, she sues for a divorce.*

NOW, this year, the cloth-workers, being covetous of larger employments, petition the King and council, that there might go no more white cloth out of this kingdom, but that they might be all dressed and dyed here, before they went over, and the reasons of their petition were three:

First, That the Hollanders, making use of dressing and drying our cloth, almost doubled the value they bought it for, whereby, they were enriched, and we were impoverished.

The second reason, That, whereas there was a multitude of poor in this kingdom, that wanted employment, if they might have the dying and the dressing of those cloths, it would find them work, whereby they might be relieved; and there was no reason, why any others should make benefit of that, which we might make good of ourselves.

Lastly, Whereas the trade of dressing of cloth began to decay, if now they might but have this, in process of time, it might be restored, and they might have as good skill to dress cloth, as the Dutchmen. My Lord of Rochester, my Lord of Northampton, and my lord treasurer, that now is, were great agents in this business, and were thought to have been promised great sums of money, to accomplish it.

Now the Countess begins new complaints, and finds her art to continue firm, and that, indeed, there was such frigidity *quoad hanc* accomplished, that her husband, the good Earl of Essex, could not execute the office of a husband; she ups, and tells her friends, That she is still a maid, and that she had good cause to complain, since that, she having continued so long his wife, she in that space had never the

fruition of that pleasure, that ought to be between man and wife; for which cause, she protested that she would never keep him company any longer, and desired a divorcement, because of his insufficiency.

This seemed strange unto the world, who took notice of the Earl to be of an able body, and likely to have many children, and to undertake any exploit for the good of the commonwealth; indeed valuing this, to be but an idle and vain rumour, that was spread, as often happened, to see how such a thing would be liked in the world, and, therefore, let it pass with little notice.

In the mean time, there is a motion between Rochester and her, for a marriage; and, since it was so, that the world had taken notice of their business, now to make some satisfaction, they would consummate a wedding between them: This motion was well liked of, on both parties, but an obstacle remained: Her husband was alive, and the law would not permit her to have two husbands; whereupon, she grows the more eager of a divorce, that so she might have a new husband, for women of her disposition delight in change, and therefore renews her complaint; advice is taken in the business, whether such a thing may be had, there being no cause of publick adultery, or dislike of the husband: Again, it was a question, Whether the wife might sue a divorce, or not, for that the bill of divorcement was given to the husband, and not to the wife; many such like objections being disputed to and again, at last, it is concluded,

That, in case the Earl was so unable, as she reported, to execute the office of an husband, and that, upon the search of twelve matrons, she appeared still to be a maid, it was lawful, that there might be a divorce, and the reason was twofold: One, that there might be a frigidity *quoad hanc*: Another, that marriage was appointed for procreation sake, for which cause, it was thought lawful to sue a divorce.

Upon this, they proceeded to the search, twelve matrons were impannelled, the day appointed, the search made, and the verdict returned, that she was a true maid; who should bring this to the ears of the King, but my Lord of Northampton, and so to the world, who grows jealous of fraud, doubting either corruption or deceit? For it was vulgarly reported, that she had a child long before, in my lord's absence; whereupon, some say this, some say that, and most, that the countess was not searched, but that one of Sir Thomas Monson's daughters was brought in to be searched in her place, and so both judges and jury deceived. But, how true this is, is not credible; yet, nevertheless, they grant a bill of divorce; and, now a separation being had between them, the earl, in a great discontent, leaves the court, and repaired to his house in Warwickshire, and there lives a private life.

The motion of marriage goes forward ; Overbury's opinion concerning it ; he dissuades Rochester from it ; the breach between them ; the principal cause of it.

NOW might there be a lawful discourse of marriage, since there was a lawful divorce, had it nevertheless been kept private, and only some particular friends made privy on Rochester's side; but Overbury's advice he requires amongst others, in this business, though to what end, it is unknown. Nevertheless, Overbury was utterly against it; and, being in serious discourse with him, concerning this subject, in the passage-gallery at Whitehall, entered into these or the like words, as was reported:

First, How much he stood obliged to him, for his countenance and favour, who, therefore, would speak nothing but what was truth. Then how dutiful and ready he was to perform all his commands, from whence, he might easily perceive, that what he spoke was out of affection. And lastly, That he had often endeavoured to avert his mind from these things; that both time and the envy of men might turn to his prejudice, taxing him, that he had made all this to become hurtful unto him, and converting the meaning of good intentions towards him, to his disparagement and loss: Notwithstanding, the viscount still pressed him on to pass his opinion, protesting great kindness, and to do nothing without his opinion; whereupon he lets him understand, that, perceiving the common reports of the multitude, and weighing them with the greatness of his person, he found it to be no less hurtful to his preferment, than helpful to subvert and overthrow him. For who would, being possessed of so great possibility as he was, so great honours and large revenues, and daily in expectation of others, cast all away upon a woman, that is noted both for her injury and immodesty, and pull upon him the hatred and contempt of great personages, for so small a matter? Then he willed him to consider with himself the condition of the person, whereof he spoke; the manner of her carriage from her youth, her present conversation, the many envies, dishonours, and dislikes that were attendant upon her; and besides, which is now the common report of the vulgar, and he should find them to be so many evils to attend her subversion and overthrow.

It is not the nature of a wise man to make her his wife, whom he hath made his whore. Lastly, he willed him to expect no better requital at her hands, than which she had shewed to her former husband, and withal, to weigh the present condition that he was in, and to compare it with the future; now he had, as it were, but an inclination unto such a thing, neither were those things made evident, that after ages would lay open; nevertheless, that he was taxed with incivility, levity, and indeed effeminateness; that, by the opinion of the wise, he was adjudged altogether unworthy of that honour, that was bestowed upon him. But, when these surmises should come by this his marriage to be made evident, what evils, before, were but suspected, should then be enlarged, and laid to his charge; Honour is not attended

with voluptuousness, nor are the ruins of a rotten branch to be cherished, upon a new planted tree; but, if that he meant to be made famous, and to continue that with him, that now he freely enjoyed, his opinion was, that he should utterly leave and forsake her company, and to hold her was both hurtful and hateful.

These speeches drew on others, and the viscount, being a little nettled in his affection, grows somewhat harsh. And Sir Thomas having been heretofore excepted at, with these kinds of contentions, grows so much the more careless, and answers word for word, so that from fair and friendly speeches, they grew to words of anger, and to cross each other. In conclusion, Overbury requires his portion due unto him, and so wills Rochester to leave him to his own fortunes, for that he could not endure these inordinate jangles, which he had accustomed towards him of late; and that, if there had been any thing said, that was either offensive to him, or to the disparagement of the countess, it was by his own procurement, and by reason of the good-will and affection that he bore to him; with these, and many such words, they parted.

*Rochester and the Countess meet, and conclude the death of Overbury ;
that Northampton had a hand in it, causes why.*

THE countess having, before this, borne a deadly hate towards Overbury, because he had oftentimes before dissuaded the viscount, to abstain from her company; yet now, having disclosed unto her this speech, she becomes much more revengeful, especially, because he had taxed her, with the name of a whore; for truth is hateful to the evil, and what before she concealed, now breaks forth with fury. For concealing anger is much worse than open violence; persuading Rochester, that it was not possible, that ever she should endure these injuries, or hope for any prosperity, as long as he lived, he being the only man, that withstood his purposes, with many other persuasions; that he only of all men began to grow eminent, and who was the man so likely to step up after him, as Overbury? Insomuch as these persuasions, together with his own conceived evil, procure the viscount to give a liking to her determination, and to put his hand into the fire, where he needed not, making himself accessory to that, which he had no occasion to put in practice at all.

There were some, that charged Northampton to have had a hand in these businesses, and to have uttered these and the like words: that he wondered how the viscount could be so much affected to this man Overbury, that without him he could do nothing, as it were, making him his right-hand, seeing he, being newly grown into the King's favour, and wholly depending upon his greatness, must expect to come to ruin, when that man rose to preferment. Also he condemned Overbury for his boldness and peremptory sauciness, that checked and corrected the viscount for the love that passed betwixt the viscount and him, and opposed many of his designs and purposes; whereupon he concluded, That, unless he did either curb his greatness, or abate his

pride, he in time would be equal with him, both in power and greatness. Whether this proceeded out of fear of himself, or envy towards Overbury, or to collogue with his niece and Rochester, or to prevent the plagues of Sir Thomas, who altogether distasted these niggling courses, it cannot be conceived, that these are the last words, that he spoke of this subject: That, for his own part, he knew himself clear of all offences against the state, and their family was so eminent in the commonwealth, that he could not hurt him. But, for Rochester, being made privy to all his designs, growing peremptory, and no whit tractable to his disposition; besides, likely to come to eminency and honour in the commonwealth; he finds it both necessary and fitting, for his safety, that he should be a means to dispatch him; whereupon the viscount, being led by the nose, as he thought, for the best, gives consent, and endeavours to put in practice what they have determined. Now on all hands they cast about how this might be effected and pass unregarded, so that they might sustain no loss or disparagement by the attempt.



Sir William Wade removed from the Lieutenantancy of the Tower. Sir Jervase Yelvis preferred.

FOR this purpose alone it was thought that a quarrel was picked with Sir William Wade, who was now lieutenant of the Tower, and had continued so a great while; but there were other causes objected: And first, he was thought too severe against the Lady Arabella, and gave some other prisoners too much liberty. Another was, that he, being now grown rich, began to grow careless, and neglected his office. But the very truth of the business was thought to be this: Sir Jervase Yelvis, being a Lincolnshire gentleman, having been brought up in a publick life from his youth, trained in the study of the publick laws at Lincoln's-Inn, and ambitious of preferment, offered a sum of money for that honour and place; for, howsoever Sir William Wade might be one way taxed for his too much desire of wealth (which thing might be tolerable in him, being pressed with a great charge) yet he was wise, honest, and discreet in his place, and discharged it with much more sufficiency, than he that succeeded him; but, according to the saying of the poet,

Quisquis habet nummos, securam navigat auram;
Fortunaque suo tempore arbitrio.

Those men, that store of money have,
With prosp'rous wind shall sail;
And fortune plays unto their wish,
To speed they cannot fail.

By this means he is got into the lieutenantancy, and for this cause Sir William Wade is put out. Things, ordered after this sort, never pro-

ceed without envy; unless the persons, that enjoy such places, be very considerate, it is likely they will have a sudden fall: But what care men of power for such things? He, being established in his office, must recollect his money paid, by using some kind of extortion; and, to bear out this, be observant to such as preferred him; and so, by their countenance, he might use the greater liberty. For this cause he made the Earls of Northampton and Rochester the whole end of his actions, fearing more to displease them, than the King: A fit man for their purpose.

The Countess repairs to Mrs. Turner to inquire a man out for her; makes complaint of Overbury's insolency; and discloses her determination. Weston is nominated.

IN the mean time, the countess though it not enough to hear, nor to fret and fume, nor persuade and intreat my lord to undertake this dangerous enterprise; but to Mrs. Turner she must go, and there renew her complaints with tears (hardly found in a woman of her disposition) protesting she was never so defamed, neither did she ever think, that any man durst to be so saucy, as to call her whore and base woman, and that to Rochester, her only hopes, and with an impudent face; but Overbury, that negro, that scum of men, that devil incarnate, he might do any thing, and pass either unregarded, or unpunished: This moves pity in this pitiful woman Mrs. Turner, who frets as fast to see her fret, so that that there is such storming between them, as is incredible. At length, as we see two clouds, after long strife in the air, which shall have the priority in place, join in one; so these two women, after they had fulfilled their frantick humour, join in this, to be the death of him: That must be the end; there is no malice like the malice of a woman; no submission, no intreaty, no persuasion could prevail, but he must die. Mrs. Turner soothes her with Aye, that she would; and it is pity he should live to defame so honourable a lady, so well descended, to the utter disparagement of her house; and that, rather than he should pass with life, she would dispatch him herself: Words of course in such cases, where people are carried away with heady malice, not with reason. Yet, for all this, coming to their right senses, they begin to weigh the matter, and that it was no small thing to kill a man, both in respect of conscience, and law; therefore they cast about which should be the best way to do it; at last they conclude, that to poison him was the only way, and that with least suspicion. But then the party that should do it was to seek; for he must be no ordinary man, but an apothecary, or physician, that might temper the poison rightly to take effect, according to their mind, and of long study: One Weston was named, that had some time been servant to Dr. Turner, and thereby learned such experience, that none was so fitting to accomplish this exploit to him. This man, now in the country, must be sent for; Mrs. Turner must work upon him to bring him to this exploit; for things of this nature must be carried with

wisdom and discretion : For who will hazard his life for Had I wist? Two-hundred pounds are proffered him, and he of all men undertakes it.

Overbury's great favour. The motion of the council to send him ambassador to the Archduke. He contemplates of it, and is persuaded by my Lord Viscount to refuse it.

THESE things notwithstanding, Overbury still grows into favour, and the council, still finding his diligence and sufficiency in his place, nominates him as a man fit to be sent ambassador into the Low Countries to the Archduke, making that a means to draw him up to great preferments. This comes to Overbury's ear, who, knowing my Lord of Northampton to be his utter enemy, and growing jealous of Rochester, begins to contemplate what the meaning of this might be; thus between hope and fear, he stands amazed: To refuse would be to his great disgrace; to undertake it would be to the loss of his preferment. Standing in these doubts, the viscount, after so many jangles, comes to him and salutes him, and, after many discourses, falls into speech of the intention of the council concerning this ambassage, not so much to assist and encourage him to it, as to see how he stood affected; whereupon, finding him hammering upon his determinations, not being certainly determined to any thing, he joins with him, and utterly dissuades him from undertaking it: For, saith he, your preferments and your expectations lie not among foreign nations; you are now in credit at home, and have already made trial of the dangers of travel; why then should you hazard all upon uncertainties, being in possession, as a man may say, of all that you may expect by this means already? These speeches, what with the trust he put in the viscount, what with the doubtfulness of his mind, do in a manner confirm his opinion rather to leave it, than to take it. But nevertheless he gives him to understand, that it was no small thing to oppose the determination of the council, and to contradict the King's employment; for in either of these he must expect the displeasure of both, and be in danger to receive condign punishment.

But Rochester, to get these doubts out of his mind, with great protestation and long discourses, let him understand he had so much experience of his worth, and found him so faithful and diligent in employments, that he could as well miss his right hand, as miss him; and that, in case any such danger should happen to him, yet nevertheless, if either his word, his letter, credit, or favour, could either mitigate, release, or relieve him, it should not be wanting to do him ease and pleasure.

Being led on with these hopes, he is in a manner drawn utterly to deny that which was intended for his profit, and to give him a fit opportunity to excuse their malice towards him, as after happened according to the saying of the poet:

Ne quicquam crede, haud credere quicquam
 ———nam fronte polito
 Astutum rapido torrent sub pectore vulpem.

Believe not thou scarce any man;
 For oft a Phrygian face
 Is smoothly cover'd with a smile,
 But within seeks thy disgrace.

The viscount, seeing him at this time in so fitting a vein to be wrought upon, and so easily to be dissuaded from his purpose, shewed him much more favour than heretofore he had done, the better to confirm credence in him towards his persuasions, and to encourage him in his determination; and by this means he is utterly deceived, and grows confident to forsake it; in this mind the viscount leaves him, and betakes himself to his purpose.

*The Countess, Earl, and Viscount meet. They determine of the matter.
 The king is incensed against Overbury.*

SIR JERVASE, being now grown old in his office, and being acquainted with it, amongst other things, is sounded whether he stands faithful to his patrons, Northampton and Rochester, whereby it is found, that he would be pliant to any thing they would desire, but yet not made acquainted with this determination; nevertheless, it feeds them with hope to execute their purposes with better prosperity: For the lieutenant being their friend, and Weston, a man that had gotten the art of poisoning, entertained for the purpose, and with a resolute mind ready to effect it, made them neither suspect nor doubt any thing, only how they might get him to the Tower. For this purpose it is thought fit, that Rochester, having the King's ear, should be a means to possess the King with some misdemeanors that he had committed, that, thereby the King being incensed against him, and the refusal of the am-bassage making evident the truth of these complaints, they need not doubt of any such matter; whereupon my Lord of Rochester, amongst other things, at a time convenient, lets the King understand how insolent Overbury was grown; that he not only contemned him, but his Majesty also, estimating this employment to be sent ambassador either too light a preferment for his deserts, or else intended to procure him further evil, and that he utterly disliked it, and determined to refuse it.

The King being possessed of these things, and by him, who to the judgment of the world was his greatest friend, took displeasure at it, so that, by his countenance, one might have perceived his anger: For the frowning of a King is like the roaring of a lion, terrible to the spectators and hearers, so that now they doubted not of their expectations to get him into the Tower; where being a prisoner in the King's dis-

grace, under the protection of one who more esteemed their favour, than the King's displeasure, sequestered from his friends, no intercourse suffered to come unto him, but what came from the Countess, Northampton, Rochester, and Weston, a fit agent to execute all manner of evils; why, to the judgment of the world, it is impossible that ever this evil should come to light. And thus, being ranked up in their own conceits, they run headlong to their own destruction: For, when there were but two persons privy to the act of murther, as in Cain and Abel, it could not pass unpunished, but that Cain must be marked with a perpetual mark of ignominy; how much less shall this go undiscovered, when there are so many privy to it?

Thus may we see that one sin another doth provoke,
And that murther is as near to lust as flame to smoke.

Sir Thomas refuses the ambassage; incurs the King's displeasure; he is sent to the Tower. Weston is preferred to him. Gresham dies. Franklin is entertained into the business. A new speech of marriage between the Countess and Rochester.

SIR Thomas Overbury and Rochester having, for some private occasion, fallen into a new breach at Newmarket, he returns very pensively to London; and now the time being come that he should give an answer, what he would do concerning this ambassage, he answered, that he acknowledged himself much bound unto his majesty for many favours that he had bestowed upon him, as to prefer him to so great honour; but yet nevertheless, knowing himself of such a place unexperienced, how to execute it, and besides tied to many domestick businesses, desired to be excused. It seeming something strange and harsh, that he should neglect his own good, and by this means incur the displeasure of the King, and lose his expectations, makes some of his friends to wonder, and others to stand in amaze.

But in the conclusion, as he had justly deserved, by reason of his contempt, he is committed to the Tower, but not to be kept as a close prisoner; but, after, my Lord of Northampton and Rochester, being both of the privy-council, and in great favour at court, send unto the lieutenant that he should keep him close prisoner: who afterwards received by word of mouth from Sir Thomas Monson, that he should not suffer any letters, tokens, or other things to be delivered unto him.

Their expectation in this thing being accomplished, Mrs. Turner, by the instigation of the countess, becomes a great suitor to Sir Thomas Monson, to have his letter to prefer Weston unto Sir Thomas to wait on him in the Tower; who hearing the name of the countess, and, withal, understanding the great affection that was between her and Rochester, condescended, wrote, and sent him with the letter to Sir Jervase in the Tower; he shewed it to Sir Thomas, who, willing to deserve his patrons chiefest favour, with the more readiness entertained him: As, when a man ignorantly treads upon a serpent, he is stung

for his labour; so Sir Thomas harbours in his own breast the author of his own destruction.

Now Gresham growing into years, having spent much time, and many foul prayers, to accomplish these things, at this time gathers all his baubles, viz. pictures in lead, in wax, in plates of gold, of naked men and women, with crosses, crucifixes, and other implements, wrapping them all up together in a scarf; crossed every letter in the sacred word, trinity crossed, A. W. O. crossed: These were very holily delivered into the hands of one Weston, to be hid in the earth, that no man might find them; and so in Thames-Street, having finished his evil times, he died, leaving behind him a man and a maid, the one hanged for a witch, the other for a thief.

After his death with much writing, many intreaties and rewards, one Franklin was entertained into these actions, a man of a reasonable stature, crook-shouldered, of a swarthy complexion, and thought to be no less a wizard than the two former, Gresham and Forman; this man was more employed to make poisons fit to be administered by Weston than otherwise; for he was excellent in that art, to mitigate or increase their strength, so that sometimes a poison should be a month before it worked: Verily evil actions shall never want evil actors; and, in all ages, physicians, apothecaries, druggists, and cashiered serving-men fallen into want, have still been the agents in such enterprises. Tiberius's physician, Spado an apothecary, and Ligdo, Drusus's servant, are made agents to be his poisoners. Nero's bond-man must kill him; Piso's captain under Germanicus must poison him; and by the help of a woman, poisoner of Cowe, a town in Greece, who was so skilful, that she conveyed poison, into his hair, to kill himself; a centurion to Maximus must poison him, Alexander's physician, Antipater, and Aristotle must be the authors of his own death. And here Franklin a kind of physician, Weston a servant to Sir Thomas, Sir Jervase Yelvis, who is, as hereafter you shall hear, privado to the earl and viscount, and the countess and mistress Turner are made instruments to kill and dispatch Sir Thomas Overbury: So that it hath been almost in all ages, and in all such outrages found, that either such persons or women have been actors in such attempts.

Overbury, being thus confined in the Tower, and accounted amongst them as a friar, a dead person in the law, in whose breast many secrets were contained, being still fed on with hope of preferment and liberty, lest he should disclose what he knew: They at their will and pleasure carouse full healths of sin and abomination, and freely discourse of a marriage to be consummated between the Countess and Rochester, that so, being tied in this bond of matrimony, and joined in affinity with my Lord of Northampton, more trust might be had in him, and better use might be made of his honour and greatness.

Now there is none to support him, no man to dissuade him, his looseness with the countess gauls his conscience, and, that it might be the more offensive to him, and make him the willinger to consent unto this motion, he is still pressed with it, and that it is both unfit and unseemly; whereas on the other side, if they marry, it will be both lawful, and honourable, and commendable, and the ears of the vulgar will be then

stopped, and none dare be so bold as to touch it; this carries shew of truth, so that, what with his former affection, what with his present offence that he conceives at these courses, he concludes the marriage: Times are appointed to confer, how impediments might be avoided, and what should be fitting to be done in this behalf.

How the lieutenant came acquainted with the business, and is encouraged to persist by Northampton. Rewards promised him. He examined Sir Thomas to find out his affection: Most think of religion: Some think towards the Countess.

IT is now high time to enter into this action, and the countess means to be the first, who, for this purpose, went and got a glass of blue water, two inches long; this, being wrapped in a paper, she delivers to Weston's son with instructions, that he should go to the Tower, and deliver it to his father; he doth so, who, having his matter beforehand put into his head, at supper-time takes the same in one hand, and part of Sir Thomas Overbury's supper in the other hand, and who should he meet withal, but Sir Jervase Yelvis, the lieutenant? So he demanded of him, with a kind of caution, Whether he should give it him now? The lieutenant stops, and asked him, What? To which Weston answered, Sir, you know what is to be done. This made him stand in amaze, and doubt the worst; whereupon he calls Weston into examination, and makes him confess all his intention, from what grounds, and of whom he received it, and partly the cause of it; he now, being made a slave to greatness, and having laid out much money to purchase his place, for fear to lose the one, and to offend the other, let Weston go, with this caution to omit it for that time; whereas a wise man, rather than he would have run himself headlong into perdition, would have discovered, and have made this a means to have manifested his faithfulness in his office.

But what shall we say to a man lost? The next day he is sent for to the Lord of Northampton: There, after many long and large discourses, at length the earl discloses to him his intention concerning Overbury, and, with those things, mingles many of his insolencies: First, of his obstinacy against the viscount, his insolency against the countess, his opposition almost against all good men, and that, for the causes of such a thing happening, there being none to look after him, it would pass unregarded, or unrespected; but withal gives him many cautions, how he should manage himself in the business, letting him understand what manner of man he was; a scholar, and one that had an excellent tongue and wit; a traveller, experienced in the course of the world, and, besides that, favoured the contrary faction, and as great a politician as any was this day in England; therefore, in regard he ought to be the more wary, both who came to him, and who went from him, and, above all, that no letters pass to and fro: These, and many such like other speeches, having past between them (for the earl was two hours, by his own confession, prompting him with cautions and

considerations, that he might be the readier to act his part in this adventure he was to deal in.) Lastly, he concludes, that above all he should insinuate with him, to see how he stood affected to these proceedings, and what words he uttered from a heart full of thirst with grief and sorrow, that must either speak or burst, and his service and diligence herein shall be rewarded with a thousand pounds.

Whether it was the greediness of the reward, or the foolish desire he had to give content to the earl and viscount, they being his only favourers, or some other hope still unknown; yet he by this means is brought to his own destruction, and so gives consent to conceal that which was intended. At his coming back, he repairs to Sir Thomas Overbury, under pretence to comfort him in his sorrow, and adviseth him to be more lightsome, and not to consume himself with grief; by this means entering into further discourse, secretly insinuates into his intentions: Sir Thomas, having a good opinion of him, and supposing all was done out of faith and honesty towards him, having by this means learned what he could of him, writes unto the Lord of Northampton a letter to this effect:

My especial good Lord,

HAVING undertook my prisoner, according to your instructions, after long silence, as standing between hope and fear, he takes his bible, and, after he had read upon it, and by it protested his innocency, upon further conference concerning the countess, he said, that he had justified her already, and that he could do no more than what he had done: But, for himself, alas! saith he, what will they do with me? I answered, So reason you, as you shall make no question hereafter of your pureness; and I left him in some sense, to work upon him. As I was going, he concluded, That, in the generality, she was so worthy, that she might be a wife, in particular, for my Lord of Rochester, he would not say it, lest my lord should condemn him, for weighing his worth.

At my next coming to him, I found him not in sense, but fury: He let fly at you, but was respective to my Lord of Rochester, whose part he taketh altogether. I see the event, I desire it may be safely covered; what my service may do you in this, or any thing else, I will be faithful to your lordship, and so I rest,

JERVASE YELVIS.

These, and many other things, being inserted into this letter, were sent unto the earl; which he read, and in reading laughs and smiles at the simplicity of the one, and ignorance of the other; nevertheless, in outward appearance, he applauds all the actions of Sir Jervase, but especially to my Lord of Rochester, holding him both a discreet and wise man, and that his services, and honest dealing in this employment, deserve everlasting praises with after-ages.

More poisons are sent from the Countess. Sir Thomas Monson is suspected to have a hand in the business. Overbury grows sickly, and jealous of his diet; no access is suffered to him.

WESTON, having received twenty-four pounds of his allowance, and yet nevertheless nothing accomplished according to the countess's expectation, is checked by Mistress Turner for delaying it; whereupon he gets into his hands certain poisons, viz. rosacre, white arsenick, mercury sublimate, cantharides, red mercury, with three or four more several poisons, tempering them with his broth and his meat, according as he saw them affected, increasing and diminishing their strength, as he was instructed by his ancient friend Master Franklin; besides these, tarts and jellies are sent by the viscount and countess, to Sir Thomas Monson, as from thence by the hands of one Simon, Master-servant unto Sir Thomas, to be delivered to Weston, and so to Overbury, every of which tarts and jellies were poisoned with a several poison.

These courses caused Sir Thomas Monson to be suspected of this act, and to have a hand in it: First, In respect he preferred Weston to his service: Secondly, Poisoned tarts and jellies went out of his house: And, lastly, For that he did not discover these things, his men only having access to the Tower, and that to speak with Weston. Now his salt, his meat, his drink, and whatsoever he eats, is mingled with poison; and, for the increase of his torment, is increased or diminished, as they saw Sir Thomas Overbury affected.

By this means he begins to grow extreme sickly, having been heretofore accustomed to very good health; insomuch that he can scarce stand or go, what with the pain of his body, and the heat: Yet, nevertheless, being a strong man, he stood it out a long time, till, at length, he began to grow jealous of his man Weston, for his malady increased or diminished, as he affected; but yet some physick he desired, and at his special instance and request, and not without some gratitude, as was thought, one Paul de la Bell, an apothecary, by the advice of doctor Marvin, brought a bath to cool his body, with advice to be sparing of his diet, for that he suspected that his meat was not wholesome: Surely this did him much good, and preserved his life longer than they expected, insomuch that they misdoubt some fallacy or fraud; and therefore send new letters to the lieutenant, to have a special care that none may be suffered to see him, or speak with him; for evil men are full of needless fears; and now there is such special watch had over him, that none of his men might be permitted so much liberty as to speak with him out at a window; and, the reason being asked, answer was made, that the lieutenant had commandment from the council that it should be so.

Thus the good gentleman passed away his tedious and sorrowful days with many discontents, being filled with pains and grief, without friends and comforters, ready to be vexed and tormented upon every occasion, and consuming and languishing away without any common society that was allowed to the meanest prisoner in the house. In this man we

may see the misery of such as fall into the hands of popish catholicks, for, by Northampton's means, was this strictness shewed towards him; here will we leave him languishing in sorrow, and lamenting his misfortune.

The marriage between the Viscount and the Countess published; questioned, whether it might be lawful. A nullity obtained to make it lawful. My Lord of Essex repays the portion. The Viscount made Earl of Somerset.

TIME can no longer conceal these secret meetings, but they must at length come to light: The marriage between the viscount and the countess is published; this is strange to the world, and so much the more strange, by how much three such great and eminent persons as the Earl of Essex, the countess, and the viscount were interested in it: And now, according to the common course, every one speaks as he stands affected; some boldly, others sparingly; some call her a loose woman, and pity the good Earl of Essex, and say that he had sustained more wrong than ever any English peer had done.

First, to suffer disgrace by the prince, now by his wife; others blame her with words harsh and unseemly; a third sort Rochester; and that it is pity, but that she should prove as bad a wife to him as ever she was to the Earl of Essex; then, if Overbury had been at liberty, this had never happened. Others, that were more stayed and judicious in their opinion, foresaw the ruin and downfall of Rochester by this means, but none durst speak of it. For who will put his finger into the fire, unless he be compelled? Nevertheless, to stop the mouths of the vulgar, this marriage is called into question, whether it may be lawful or not, because her husband was then living: For this cause, the bishops of this land were divided. By the opinion of some she might, by the opinion of others she might not; my Lord of Canterbury, London, and many others were utterly against it; but Winchester and Ely stood stiffly it might, provided a nullity might be had; for by that means the former marriage should be utterly determined.

A nullity was obtained, and, upon the grant of that, it was ordered, that my Lord of Essex should repay the portion that he received with her at his marriage, that so, to the shew of the world, it might be said, there had been no marriage between them. This, afterwards, was called into question, and thought a mere trick of Northampton, to discharge some of the greatest of the clergy, and to discountenance our religion; it left a foul scar, and gave a foul occasion to the adversaries to speak broadly, where they had liberty, and of some even in our kingdom.

This order being sent to my Lord of Essex, he forthwith prepares for the repayment of five thousand pounds, for so much he had received with her; and, for this purpose, he sold and felled divers woods at Alderston, and near thereabouts: His grandmother, the Countess of Leicester, helped him much, or else he should have been constrained to sell

much land to pay it; verily a hard course, having sustained so many injuries!

The King, nevertheless, continues his favour towards Rochester; and, that he might be as eminent as the best, he is installed Earl of Somerset. Thus favours are heaped upon him, though he little deserved them. And the countess, what she desireth, is still to be a countess, but called after another name, that is, Countess of Somerset. Many are the chances that happen in the world, some good, some bad, and those things, we least suspect, do soonest happen to divert us.

At this time, my Lord of Somerset little thought to have been laid in the Tower, and made heir of Overbury's bed-chamber; but, by this, we may see, that all things are in the hands of God.

The marriage comes to Overbury's ears. He prophesieth his own death. He falleth into a relapse. He writes to the Earl to remember his promise. Answer is sent him with white mercury, instead of a medicinal powder. His death. The state of his body after his death. The rumour that is spread of him. The author's lamentation.

NOW, although Sir Thomas Overbury was kept private, and that no man might have access to him; yet the news of this marriage comes to his ears, and presently, upon hearing of it, he tells the messenger, that he had almost as good have said, To-morrow he should die, for he was sure now not to live long; and, thereupon, falls into great lamentations, as well in regard of the Earl of Somerset, that he had so cast away his fortunes, as of himself, for that now he more suspected his life, than ever heretofore. Whereupon he falls into a relapse, and his malady increased every day more and more upon him, whether weakened with grief, or for want of liberty, or through abstinence; it is not unknown, that the poison had more power over him, than ever heretofore, insomuch that he could scarce contain himself, by reason of his extreme languishing away, as a man in a consumption: But with much more extremity; so that now, being in this extremity, he thinks it high time to put Somerset in mind of his promise. And, for this purpose, he writes a letter to this effect:

Right noble and worthy Sir.

THE former accustomed favours, and absolute promise, concerning my present delivery, have caused me at this time, by these lines, to solicit your lordship, and to put you in remembrance of the same, not doubting, that your honour is at all forgetful of me, but only, by reason of my imprisonment, being possessed of a dangerous disease, would, for my body's safety, partake of the felicity of the open air: In which case, if your lordship please to commiserate my present necessities, and procure me my speedy delivery, I shall not only stand so much the more obliged, but also acknowledge you the defender and preserver of my life.

These lines, being subscribed, were sent to Somerset, and delivered into his own hands; the messenger returns answer, That presently he could not accomplish what he required, but willed him not to doubt, for shortly he should hear of his deliverance. Thus, being fed with hopes, he takes new comfort to him; in the mean time Weston repairs to Mistress Turner for more of his pay, being in want: Answer was made, that, as soon as he had ended his employment, he should not fail to receive it; but, before then, he must not expect any thing: Whereupon he returns, and enters into new designs; for, in all this time, that is, from the one and twentieth of April, until the beginning of September following, in the year 1613, Sir Thomas had held out: While he was thus puzzling himself, to bring this to perfection, Somerset sent him a letter to this effect:

THAT, as yet, the court was busy about important business, and the King's ear was not at leisure to entertain any motion; but, as soon as he could find opportunity, he would not fail to speak in his behalf. In the mean time, to ease the pain of his malady, he had sent him a sovereign powder, either to be eaten, or drank, which powder was rank poison. This feeds him still with hope, but brings him small comfort.

Now Weston had found out an unknown apothecary, and with him concludes, for twenty pounds, to administer a clyster, wherein should be put mercury sublimate; the youth was to come to dye it; Weston prepares it, and persuades Sir Thomas that it will be much for his health; whereupon, about the fourteenth day of September, he brings the said apothecary, to execute his office, assists him therein, and, by the infusion thereof, he falls into a languishing disease, with a pain in his guts; the next day after, with extremity of pain, he gave up the ghost.

After his death, Weston receives the rest of his pay, and dispatches the unknown apothecary into France. After it was given out, that Sir Thomas lived a base, loose life in the Tower, and not according to that strictness as became a prisoner; but, being suffered to have too much liberty, he run into excess of lasciviousness, so that thereby he got the pox, and thereof died. This went for current amongst some; amongst others that were ignorant, some little respect was had to it; but to others, that sought narrower into the matter, they found it far otherwise, for De la Bell, the apothecary, before spoken of, having relation to him, a little before his death, reported, he was changed in his complexion, his body consumed away, and full of yellow blisters, ugly to look upon; and, it appeared by a letter my Lord of Northampton wrote unto Rochester, to pick a thank, that there was found in his arm a blister, and upon his belly twelve kernels raised, not like to break, each as broad as three pence, and as big as a small button; one issue upon his back, whereupon was a plaister, from his shoulder downward, of a dark tawny colour, strange and ugly to behold; he stunk so intolerably, as was not to be born withal, being thrown in a loose sheet into his coffin, and buried without knowledge or privity of his friends upon

Tower-hill; at last he concludes, that God is gracious in cutting off ill instruments before their time.

Some of the factious crew had a purpose, if he had got out, to have made some use of him; from whence may be gathered, how that Northampton held protestants factious, and suspected Sir Thomas to have further knowledge of his secrets, than he would have had him; which was the cause, as was thought, besides the former evils, that hastened his end, and caused him to be taxed with so great infamy, as to die of the pox. This passed current, and the mischief lies concealed; who dare speak of it, two such great men having their hands in it?

Thus we may see, good and bad men come to miserable ends, and oftentimes those, that are virtuous, do soonest suffer disgrace and contempt. This man, before he came to court, was brought up in all gentlemanlike qualities: In his youth, at Cambridge; after, in the Middle-Temple, there instructed in the qualities becoming a gentleman; by the intreaty of my lord treasurer, Sir Robert Cecil, preferred to court, found favour extraordinary; yet hindered of his expectation by some of his enemies, and, to shift off discontents, forced to travel, and therein spent not his time, as most do, to loss; but furnished himself with things fitting a statesman, by experience in foreign governments, knowledge of the language, passages of employment, external courtship, and good behaviour, things not common to every man: Notwithstanding, such are the imperfections of our times, he is brought into ignominy and contempt, and all those good qualities are obscured, by the disgraceful reproaches of a dissolute woman: What shall we then say, since that vice and virtue do both end in misery? He is most happy, that liveth most private; for, according to the saying of the poet,

*Vitam, animas, operam, sumptus, impendimus aula,
Præmia, pro meritis, quæ retributa putas?
Aula dedit nobis rescripta votata papyro,
Et sine mente sonos, et sine corde manus.
Paucos beavit, aula plures perdidit,
Sed et hos quoque ipsos, quos beavit, pendebit.*

Our lusts, our souls, our wealth we spend
In court to purchase praise;
But what reward it in the end
For our deserts repays?

Their vows and protestations deep,
Not press'd in paper, but in mind;
Their sounds of words do lull asleep,
From body forc'd, not from the mind;

Hands there we join, but not our hearts,
Whereby it happeneth few are blest,
And many thousands that resort
Unto the court, by it are lost,

And, of those few that blessed are,
 We often see there fall again;
 Their blessed days they spend in care,
 And after end their lives in pain.

The complaint for want of treasure. The King sets many lands to fee-farm. The death of the Lord Harrington. The death of his Son.

GREAT sums of money being disbursed upon her grace's wedding, and daily employments for others; some for Ireland; the lord treasurer, wanting there to defray ordinary expences, some for the King's own use, and some for other occasions, causes a great complaint for want of treasure: Officers at court go unpaid, and many of the King's servants receive not their wages at set times, so that the King is forced to set many of his lands to fee-farm, and the four deputy treasurers, with some few others, have the passing of them: now my Lord Harrington obtained a patent for the making of brass farthings, a thing that brought with it some contempt, though lawful; for all things lawful are not expedient; who, being enjoined to go into the Low-Countries with her grace, by the way lost his life. His son succeeded, both in honour and patent, and enjoyed them not long before he died. Within a short time after, the hopefulest gentleman of that name, more fit for employments, than for private life, and for a statesman, than a soldier: He had been at Cambridge, there reputed for a great scholar; he travelled into Italy, Venice, and France; he employed his time, for the most part, in study, whereby he made himself apt for great matters. But yet it pleased God, even then, when he was in his greatest hope, to cut off his days: He gave all that he had to the Countess of Bedford, his sister, defeating her neither of the land, nor the right of the barony, esteeming her to be worthy of much more than he had to leave. He made a worthy and godly end: These things, coming so thick one after another, left no time for men to dread of Overbury's death.

The Earl of Somerset's conscience accuseth him. Northampton's speech to him. He becometh a neuter in religion. The Earl of Northampton's course.

A nullity being thus purchased, he dignified, as is said, and the match concluded about Candlemas, 1614, they marry with much joy and solemnity, a mask being performed at Somerset's charge, and many rumours pass without any respect: All these things notwithstanding, a guilty conscience can never go without accusation; pensiveness and fulness do possess the earl, his wonted mirth forsakes him, his countenance is cast down, he takes not that felicity in company as he was

wont to do, but still something troubles him: Verily, it is a dangerous thing to fall within the compass of a guilty conscience; it eateth and consumeth the soul of a man, as rust doth iron, or as beating waves hollow the rocks; and, though these things are not made publick, yet, nevertheless, Northampton observed it in him; having so admirable capacity, he could make use of all things; wherefore, knowing his disease, viz. his mind gauled with murder, and knowing the earl tractable, as he desired, he enters into more familiar discourse with him: For, when the mind of a young man is corrupted with evil, he runs headlong into sin without stay or fear; wherefore, amongst many other discourses, this falls between them: That, in case the death of Sir Thomas Overbury should come to light, they were then in a most dangerous state: and the next thing they must expect is loss of life, goods, lands, honours, their names to be made scandalous to the world, and, to conclude, to be branded with an ignominious death; neither was there any way left for to escape this, but either by making their own fortunes so great, that they might oppose all accusations, or else, being Catholicks, to endeavour, that, in defending them, they again might assist their cause, in case that any matter came against them; this carrying some shew and likelihood of truth, and, indeed, his case being desperate, if ever it should come to light, he concludes to combine with Northampton in whatsoever he should undertake, and, in conclusion, became a neuter in religion; whereupon, to the intent he might set up further evils on foot, besides those before remembered, he begins to rip up the ancient quarrel between the Welch and the English, who now murmur at some discontents; and, to the intent to hearten on the Irish, sends letters thither, by the hands of one Hammon, a poor man, unto such whom he knows to be faithful in the Romish religion, and thereby confirms them in their opinion, assuring them that God will still provide one or more to protect his church, and that now the greatest favourite in England would stand for them; upon which letter, the Irish grew obstinate, as I have said, and altogether neglect the service of God, and utterly deny the oath of supremacy, protesting loss of life and goods, rather than to be forced to so damnable a thing.

Now we see there the church utterly forsaken, none to hear divine service: The discipline of their own church established, and the Irish in general expecting a day to have their liberty and freedom in religion. The same man, returning this news, is also sent into Yorkshire, with a black-staff, and a knob upon the end, within which knob, letters are conveyed from place to place, as well for appointing assemblies, as meetings for mass, and entertaining of priests; now might a man go to mass in divers places of the city, and who were so dublickly favoured as priests? Their number increase, their priests are entertained, confession in many places publickly practised, and, although it was contrary to the law, yet, greatness countenancing them, it was little regarded. In the mean time, quarrels went forward between the Scotch and English, continual complaints, and the suit of clothworkers, with hope of obtaining their request; not so much because of the profit, as

to raise up a discontent between the Dutch and them. These courses caused divers men to pass divers opinions, and many men to pass their opinion as they affected three parties.

The rumours of the Spanish fleet. A proclamation against Spanish money. A Leaguer in the Low-Countries. The publick rumours against my Lord of Northampton. He exhibits a bill in the star-chamber against the publishers. They justified by my Lord of Canterbury's speech. The death of my Lord of Northampton; his funeral; his will. The names of those that succeeded him in his offices.

NOT long after, it was rumoured abroad, that the Spaniard had drawn out a navy of ships of an hundred sail, but to what purpose no man knew; many suspected for England, because they were come so far upon those coasts; others said, for the use of the mariners to accustom them to sea; but most of all were of opinion, that these were but shadows, and that the Spaniard was to have taken advantage of the time. Howsoever, upon this there followed a proclamation against Spanish money, that their money should not go current in England, which caused many to suspect worse than the worst, and some said one thing, some an other: Upon the neck of that, come wars in the Low-Countries, some say against the Palsgrave, others against the state. The Scots begin to fly out in rebellion, and are suppressed. The wild Irish in Ireland begin to stir, sometimes thirty, sometimes forty, sometimes three-hundred, fly out and stand upon their guard. These things minister occasion of wonder to the ignorant, and many of them, who knew the truth of things, knew not what to say to it: Priests come into the kingdom by tens, fiftens, twenty at a time, and have free access, so that my Lord of Northampton, being warden of the Cinque Ports, begins to be called into question: Some say he hath a hand in those things; others say, he lets priests have their free access, and that in Bloomsbury, amongst his own buildings, they have free harbour; others say, that, through his countenance, thither any man might go to publick mass. Besides, many other intelligences, brought from beyond the seas, draw him further into suspicion, and the King begins to withdraw his favour from him; wherefore he exhibits his bill against such as defamed him, into the Star-chamber: Some are, for this cause, committed to the Tower, others to Newgate, others to the Fleet, till they come to their answer. And, in the end, openly in the Star-chamber he is accused for suffering priests to have free access into Yorkshire, under pretence of his office; for countenancing them, for sending letters to and again to encourage men in their opinions, and many other such like things.

And, when my Lords came to pass their voices, my Lord of Canterbury, amongst the rest, made a speech to this effect: 'That, although many have been the rumours and reports that had passed in these times, some of them shut up for uncertain truths and flying fables, then entertained

for approved truths: yet, nevertheless, such things are grounded upon reason, and for which, men of upright consciences have some occasion to speak; to have such either lightly valued or punished, was rather injustice, than any way beseeeming the equity of that court: But, in truth, these, whereof we now speak, are grounded upon some cause, and my lord's own letters make evident, that he hath done some things both against his own conscience and meaning, merely to attain unto honour and sovereignty, and to please the King: And with that he pulls out a letter, written from my lord to Cardinal Bellarmine, to this effect:

‘That, howsoever the condition of the times compelled him, and his Majesty urged him to turn protestant, yet, nevertheless, his heart stood with the papists, and that he would be ready to further them in any attempt. This and much more being read, to some purpose he proceeded, and shewed how that those things were not merely uncertain, but even the actions that followed them did justify them to be true. For there were never known to be so many priests to come over into this kingdom in so short a time, as of late there had done, neither could he assure himself that my lord was true-hearted unto the state. Also he harboured such about him, as would undertake to write in defence of the gunpowder-treason.’

This and much more being said, about the latter end of Easter term, in the year 1614, my lord, being hereat much discouraged, after the court broke up, took his barge, went to Greenwich, and there made his will, wherein he published himself to die in the faith he was baptised; made some of his servants his executors, and others he bestowed gifts upon; his fair house he disposed to my lord chamberlain, his lands to my Lord Theophilus Howard; retired back to his house at London, and, before Midsummer term following, was dead.

Many were the rumours that were raised of this man, after his death: That he was a traitor to the state; and that he was not dead, but carried beyond sea to blind the world; and the reason was, because he would be buried at Dover, and not at London!

Others say, that, if he had lived, he would have been the author of much stir; many dislike him, and, as was reported, even the King himself towards his latter end, which made him to fall into these courses; but, truly, he was a notable politician, and carried things more commodiously for the papists, than ever any before him. His funeral was kept privately at Rochester, where he desired to be buried, because it was the chief port-town of his office, without any state, to outward appearance. My lord treasurer, that now is, succeeded him in his treasurership. My Lord of Somerset is made chancellor of Cambridge. My Lord Zouch, warden of the Cinque Ports. My Lord of Worcester, some short time after, lord privy seal. These succeeded him in his offices.

The Clothworkers obtain their petition. The old charter of the Merchant-adventurers is seized into the King's hands. The Dutch grow discontented at it. The doubtfulness of Somerset's mind. He sues for his pardon; obtains it. My Lord Chancellor refuseth to seal it. Falls into suspicion. Begins to be neglected.

THE clothworkers still persisting in their suit, and having such strong friends to stand for them, and Alderman Cocking, a rich merchant, to back them, they at length obtained what they desired, and proclamation goes forth, that no more white cloth shall go over undyed, or undressed; and, for this purpose, the old charter of the merchant-adventurers is seized into the King's hands, so that the company fall to decay. Now the Dutchmen they begin to murmur against the Englike, and make proclamation there, That no man shall buy any such cloths as come over so dressed and dyed: Whereupon the English make a new proclamation, That no man shall transport wool out of the kingdom. These things fed some with hope of some further troubles; yet, nevertheless, it is so ordered by the council, that all things are pacified, and some quantity, amounting to a certain number of white cloths, are suffered to be transported, as well to give content to the Hollanders, as satisfaction and employment to some young merchants that had entered into this trade, by which means these clamours are a little stayed; yet, nevertheless, great impression of envy is between these two countries.

Now, one of the greatest friends, that Somerset had, being dead, and himself still jealous of his safety, he begins to cast about how he might avoid the danger of the law; for his intelligencers gave him notice of many desperate words, that were uttered concerning Overbury's death; whereupon, finding the King in a good humour, he moves him to this effect: That, whereas it had pleased his Majesty to commit many things into his charge, and some of them proving something too weighty for him to undergo, it was so, that ignorantly he run himself into a *Præmunire*, whereby he had forfeited to him both his lands, goods, and liberties; and that he came now to surrender them all up into his Majesty's hands, unless it pleased him, of his wonted favour towards him, to grant him pardon for that, and many other offences that he had ignorantly committed. The King, still bearing a good affection towards him, bade him draw out his pardon, and he would sign it; whereupon he makes his repair to Sir Robert Cotton, and intreats him to look him a pardon, the largest he could find in former precedents: So he brings him one, that was made by the pope to Cardinal Wolsey; the effect of which was,

'That the King, of his mere motion and special favour, did pardon all and all manner of treasons, misprisions of treasons, murders, felonies, and outrages whatsoever, by the said Sir Robert Carr, Earl of Somerset, committed, or hereafter to be committed;' with many other words, to make it more ample and large, according to form; which he caused to be drawn and ingrossed, and brought it unto the King. The

King signs it; at length it comes to my lord chancellor's hands; he peruses it, and refuses to let it pass the seals. My lord asks the reason. Answer was made, that he could not justify the doing of it, but that he should incur a *Præmunire*, as well as himself. This struck Somerset to the heart, and then he was in greater doubt, than ever he was before; for still he is stung with fear to be touched with Overbury's death, and so very pensively returns to Whitehall, and there remains.

The King coming to London, my lord chancellor acquainted him with the pardon, and shewed the King what danger he had incurred, in case he had sealed it. The King, perceiving the truth of the business, suspecting some greater matter, than he knew of, withdraws his countenance from Somerset, who, now wanting virtue to support his greatness, without the King's favour, falls into the contempt of many; and those, that are his enemies, neglect him, and do, as it were, deride his manner of carriage; by which means he runs headlong into his own perdition, as shall be hereafter shewed.

My Lord Chancellor is sued in the star-chamber, for being within the compass of a Præmunire. The King goes to Cambridge. A breach about Ignoramus. My Lord Coke stands against my Lord Chancellor. The King graces Sir George Villiers, and bestows great honours upon him. Somerset's courses to conceal Overbury's death. His covetousness. His insolency. He is crossed by Villiers. The report of the vulgar.

IN this year (1614) the King, by the intreaty of Somerset, determined to go to Cambridge, and there was entertained with great solemnity; but, amongst the rest, there was a play, called by the name of *Ignoramus*, that stirred up a great contention between the common lawyers and the scholars, insomuch that their flouts grew insufferable; but at last it was stayed by my lord chancellor, and the explaining of the meaning.

About this time it happened, that, divers citizens having recovered certain sums of money in the King's-Bench, and thereof having had judgment against the party, the defendant, he, nevertheless, exhibits his bill into the chancery, to have relief of the plaintiffs at the common law; having already had judgment of the same matter, there stands out, and disobeys the King's process; whereupon a writ of contempt issues against them, they are taken, committed to the Fleet, and there continue in their obstinacy; nevertheless, not long after, upon some advice, they exhibit their bill into the star-chamber against my lord, pretending, that he ought not to intermeddle with any matters that were already determined at the common law, and whereof a judgment had been passed; and this was ordained by the statute of 4 Hen. IV. cap. 23. whereby it was enacted, that judgment, given in the King's court, shall not be examined in chancery, parliament, or elsewhere, until it be undone by attain, or error, &c. Now, my lord having laid them fast upon a bill exhibited before him, and judgment being

already given, that therefore my lord had incurred a *Præmunire*, and humbly prayed relief in this case; many were the opinions of lawyers concerning this matter: Some stood on my lord chancellor's side; some said the poor men had injury, and that they might justify what they had done; and, amongst many, my Lord Coke stood out very stiffly, that my lord chancellor could not justify that action: And thus it stood still in question, whether my lord be in a *Præmunire*, or no?

My Lord of Somerset, continuing still in his loose courses, and utterly neglecting that severity, that ought to be in a man of his place, besides the former suspicions and jealousies, gives occasion of others also, whereby the King doth more and more fall into dislike, there being at this time about the court a young gentleman, that, not long before, had arrived from his travels out of France; his name was Villiers, a Leicestershire gentleman, and of an ancient house; who, as well in respect of carriage, as of his countenance, was more remarkable than many others. On this man the King casts a particular affection, holding him to be the properest and best deserving gentleman of England; whereupon he entertained him into favour, bestowed a thousand pounds upon him, and afterwards adorned him with the title of knighthood. And now he begins to grow every day more eminent than ether; greater honours are bestowed upon him, as, the dignity to be knight of the garter, and master of the horse: Places not common to every person, and so much the more remarkable, because they are bestowed upon him, being so young in years: his wisdom is commended of the wisest, and his expectations greater, than many that went before him.

This stings Somerset to the heart, to see another step to his place; he more fears his subversion and downfall; wherefore he goes about to circumvent danger, and for this purpose sends into France, to make away the apothecary, that administered the physick that killed Sir Thomas, endeavouring to get in all letters and writings that had passed concerning the business, and disgracing and discountenancing all such as at any time once spoke of the death of Overbury, to the intent that it might be concealed and kept close; but what God will have disclosed, shall never be concealed: Messengers are sent from place to place; he being a privy-counsellor, and in favour, his warrant passes current, so that in all places trunks, chests, boxes, studies, diaries, and such houses, wherein he suspected any letters, or rather matters that appertained to that mischief, lay hid, were broken open and searched, to the intent that they might bring some writings to my lord; yet nevertheless many, and more than were dreamed on, of those letters, came to my Lord of Canterbury's hand, and my Lord Coke's, so that those courses make him rather more suspected, than any whit at all eased his grief.

At home in his office using extraordinary covetousness and parsimony, he thereby heaped up to himself great store of money, and would not undertake any enterprise, unless he was well rewarded for his pains; every new occasion and occurrence, that came to his hands, brought him in also a fleece of money. Offices in court in his gift were not

bestowed without money, the king's letters not purchased without money, no pardon without money, so that he was as great a bribe-taker, as his mother the Countess of Suffolk, and many rumours and hard reports were spread on him for the same; yet nevertheless he still continued his favour, in despite, as a man may say, of his opposites, even unto the greatest dignity, which caused him to be as proud as covetous, and to commit as many insolencies, as he had received secret bribes. He thought it no matter to lean on the cushion in publick to check some of the nobility; and amongst the rest to make a flat breach with my lord of Canterbury, a grave and reverend gentleman, one of the pillars of this kingdom, and that could discern the follies of this young man. Thus, admiring of his own worth, he works his own subversion, and by these insolencies plucking more evils upon his head, and daily adding more enemies, to those that before he had deserved:

These things laid him open to the envy of the greatest; and Sir George Villiers, seeing his exceeding covetousness, having now the ears of the King, would oftentimes cross his expectations, as it is credibly reported, and deceive him of many a bribe which he hoped for, doing those things voluntarily, and for thanks, which my lord would not have spoken of without much money. These courses laid him open to the contempt of the vulgar also: And now all men, according to their custom, began to exclaim of his great extortion. Thus may we see him falling.

Overbury's death called into question. Weston sent for, and, by my Lord Coke examined, stands out; upon my Lord of London's persuasion, confesseth all. The Earl and Countess attached; they deny the deed. Sir Thomas Monson committed to the Tower. Sir Walter Raleigh and the Countess of Shrewsbury set at liberty. The death of the Lady Arabella. The conviction of the Earl and Countess: The manner of their arraignment, and the many rumours that were spread upon these things.

THE death of Overbury, having now lain concealed about two years, and the earl's insolence growing every day greater than other, procures him many more enemies, as is said; yet there was no man that was so hardy, for fear of the King's displeasure, he carrying a very good affection still towards him, to make him acquainted with it, or bring it to the trial of the law. At last, for divers are the rumours how it was discovered, one was, that Sir Thomas Overbury's man petitioned my Lord Coke, and the substance of the petition was, to let his lordship understand that whereas his master had been committed to the Tower by the consent of Northampton and Somerset, and there languished to death unnaturally; that, if it pleased his lordship to call one Weston before him, he might gather that out of him that might discover the whole plot and practice. Others say that my Lord of Canterbury, having conceived, as is said, some dislike against Somerset, and willing to make himself gracious with the King, possessed Sir Ralph Winwood

with the business, one that was preferred to be secretary under my Lord of Somerset, and to assist him, and lets him understand the whole matter, as hath been related; and that many letters came unto his hands, and presumptions therein that it should be true; and there remained a trunk in such a place, wherein many writings are contained, that would make evident the truth. Sir Ralph, being willing likewise to become more eminent with the King, possessed him with the business, and, proceeding upon a confident ground, a warrant was sent to my Lord Coke to prosecute the matter. Others say, that by the loss of a letter it was disclosed; and divers opinions there were, how it should come to light, it having been kept close so long: For things of this nature, when they are so long concealed, bring more wonder; but, howsoever it was made known, my Lord Coke, by virtue of his warrant, sent for Weston to come before him, and examined him upon divers articles concerning this subject, and persuaded him, intreated him, and threatened him to tell the truth: Weston stood out, and would not; thus he persisted, for a week or fortnight; many men urged him to it; accusers were brought before him, and deposed upon their oaths, that whatsoever was objected against him was true; this little prevailed.

At last, my Lord of London went to him, and, by his persuasions, he tells all: How Mrs. Turner and the countess came acquainted; what relation she had to witches, sorcerers, and conjurers; that Northampton, Somerset, Franklin, the Monsons, and Yelvis had their hands, in that business; whereupon they were all apprehended, some sent to the Tower, others to Newgate. Having thus confessed this evil, being convicted according to the course of law, he was had to Tyburn to be hanged, and there Sir Hidles, and others, imagining this to be but a fable, and that he was hired to accuse those persons (for who, almost, would have believed it?) examine him at the gallows; and, upon his examination, he justified what he had done, to the great wonder of all those that stood by and heard it. After him Mrs. Turner, after her Franklin, then Sir Jervase Yelvis, upon their arraignments of the facts, were found guilty, and hanged, all very penitent and sorrowful for what was done.

To write the particulars of their arraignments, confessions, and the manner of their deaths is needless, being common. Now the countess and the earl are attached, and committed to protection; one to the Dean of Westminster, the other to the sheriff of London; and, according to the course of such cases, there are great reports raised, watch and ward kept more than ordinary, and the guard more observant. This makes the King stand amazed, and to imagine there is no truth in men; he grows more jealous of himself than heretofore, because his only favourite, and that, as it were, in his bosom, should be intrapped in such an evil. And the tongues of the vulgar began to walk; some say, that Northampton and Somerset had combined with the Spaniard, for a sum of money, to deliver them up the navy, and that Sir William Monson, vice-admiral, should have done it the next spring: That the King, and the whole state, should have been poisoned at the christening of the countess's child, for she was then with child; and many

more the like rumours were spread, not worth relating, to the intent to incense the people the more against them, and to make the matter more heinous and grievous to the world. At this time the Lady Arabella died, a matter more remarkable than was observed, and gave some occasion of speech to many, but yet, nevertheless, passed over in silence.

These hurlyburlies being grown somewhat calm, and the minds of men a little settled, the countess, and others authorised for that purpose, were examined; and my Lord Coke was the man that pressed the evidence against them, which, as it was thought, procured some great enemies; twenty-two articles were objected against them. Somerset pleaded ignorance, and that these objections were mere tricks to intrap him, and set the King against him; the same answer was in the countess, and that it might rather proceed out of envy, than for any just cause. They cause it to be given out, that their accusations were wrongful, and none were accused, but such as were the greatest favourites to the King, so that there was much ado to little purpose. At last, when they heard that Weston, Turner, Franklin, and Yelvis were all hanged, and that they had confessed the matter, the countess, being brought before the council, confessed the whole truth; but Somerset stood to it still, that he was not an agent in it, and that these accusations did nothing touch him, and therefore he ought to be excused.

Nevertheless, his lands and goods were committed to custody, part to my lord treasurer, and part to others, to the King's use: The money, plate, and jewels, which he had heaped up together, amounted, by report, unto two-hundred thousand pounds, his lands nineteen thousand pounds per annum, and the King bestowed many of them upon the prince. There was little speech of this, in respect that both person and matter, wherein he was an agent, were both envied and facinorous; neither was there any that pitied him, but most said, that he had but his just deserts, for the injuries and wrongs that he offered unto Essex.

The arraignment was put off, and, in the mean time, Sir Walter Raleigh was set at liberty. This man had continued in the Tower now almost ten years a condemned person, for a plot intended against his Majesty at his first coming in; he bore a great envy against Somerset, because he had begged his lands of the King, and got them into his possession, giving him many taunts, during the time he was in the Tower. These two accidents happening beyond expectation (the one being the especial favourite of the King, the other a condemned man; the one imprisoned, the other set at liberty) gave great occasion of speech and rumour, and so much the more wonder and admiration, because of Raleigh's wit and policy.

And this year also the Countess of Shrewsbury, who was committed for being privy to the escape of the Lady Arabella, was set at liberty, and the Earl, her husband, died, leaving the greatest part of his land unto his daughters; during all this time, that is, from Michaelmas term, unto the short vacation, between Easter and Trinity-term, the arraignment was put off; some attributed the cause to be, because the

countess was with child, and in the mean time, was delivered of a daughter; some, that further proofs of uncertainties might be brought in; others, to give them longer time to consider on the matter, and that it was a great favour; I say, these rumours being published amongst the people, at length, the King authorised my lord chancellor to be high steward of England for the time being, and joined eight of his judges with him for his assistance, viz. the four judges of the King's-Bench, my lord chief justice of the common-pleas, Justice Nichols, my Lord Chief Baron, and others of the barons, with power to call Somerset and the countess before them, to shew cause why they should not have sentence of death passed upon them for this offence committed, both against the laws of the land, and against the King, his crown and dignity. So, upon the twenty-fourth of May, in this year 1616, there being a seat royal placed at the upper end of Westminster-hall, a little short of the King's-Bench, and seats made round about it, for the rest of the justices and peers to sit on, and a little cabin built close by the Common-pleas, for the prisoners, when they came from the Tower, to be put to rest them in, they proceed to the trial after this manner: As soon as my lord high steward, with great state, came into Westminster-hall, with his assistants the judges, divers lords and gentlemen attending, and four serjeants at arms before him, ascending a little gallery made of purpose to keep off the croud, he takes his seat, and the rest of the assistants and peers, according to their places. This being done, after silence proclaimed, one of the heralds at arms reaches the high steward's patent, and delivers it to the clerk of the crown to read it; after, Sir Ralph Coningsby reaches him his staff, and is there present, according to his place, to give attendance.

After the patent read, and proclamation for silence, and that the accusers should come in, the prisoners went sent for by the clerk of the exchequer, whose office it was to attend the prisoners: This being done, and the prisoners placed at the bar, Sir Henry Fanshaw reads the indictment, to which the countess pleaded guilty, and confessed the fact: But Somerset pleaded not guilty, and had time from ten of the clock to clear himself; much was said, but to little purpose: At last the peers, having conferred of the matter, return their verdict, laying their hands upon their breasts, and swearing by their honours (for they do not make an oath as ordinary jurors do) that he was guilty of the murder and poisoning of Sir Thomas Overbury, whereupon my lord high steward pronounced sentence of death against him; and so he was had back to the Tower, where he remaineth at the mercy of the King. This man may justly say as Pope Barbarossa said, when he was put from the popedom:

Qui modo summus eram, lætātus nomīne, præsul,
 Tristis et abjectus, nunc mea fata gemo.
 Excelsus solio nuper versabar in alto,
 Cunctaque gens pedibus oscula prona dabant;
 Nunc ego pœnarum funda deculcor in imo,
 Vultum deformem pallidaque ora gero.
 Omnibus e terris aurum mihi sponte ferebant,

Sed nec gaza juvat, nec quis amicus adest.
 Sic varians fortuna vices adversa secundis
 Subdit et ambiguïs nomine ludit atro;
 Cedit in exemplum cunctis quos gloria tollit,
 Vertice de summo mox ego Papa cado.

Lo here I am, that some time took delight in name of pope;
 Now, being sad and abject, do bewail my fate and hope.
 Of late prefer'd, I did converse with stately pomp and grace,
 And every nation to my feet their ready kisses place:
 But now in dungeon deep am thrown of pains in mortal fear,
 A countenance pale, a body lean, deform'd with grief I bear.
 From all parts of the earth they brought me gold without
 constraint,

But now no gold, nor precious stones, nor friends can ease my
 plaint.

So variable fortune is so nice to great attempts,
 So subject and so doubtful too, so adverse in events,
 That Atys with our name doth play, as with a tennis-ball;
 For, being lifted up with fame, the greater is our fall:
 Let this example be to such, whom fortune doth advance,
 That they, as I by popedom fell, may fall by like mischance.

For we cannot read of any that ever was so great a favourite as Somerset, neither the Spencers with Edward the Second, nor the Earl of Warwick with Henry the Sixth, nor the Duke of Suffolk with Henry the Eighth, as this man was with the King; neither was there any that ever came to so sudden and unexpected a fall.

They therefore, that do but rightly consider this discourse, shall find in it three things worthy observation:

First, That neither honour, nor wealth, are any certain inheritance, but occasion (unless God be merciful unto us) for the devil to pick a quarrel against us, to bring us to infamy.

Secondly, That God never leaves murder (though never so closely carried) unpunished.

Lastly, That there were never known, in so short a time, so many great men to die with suspicion of poison and witchcraft; viz. First, my lord treasurer, the prince, my Lord Harrington, his son, Overbury, and Northampton; besides these, which are no less than six, others within three years and an half, and the two Monsons, which yet remain untried.

Sir Francis Bacon's Speech at the arraignment of the Earl of Somerset.

IT may please your grace, my lord high steward of England, and you my lords the peers, you have here before you Robert Earl of Somerset to be tried for his life, concerning the procuring and consent-

ing to the impoisonment of Sir Thomas Overbury, then the King's prisoner in the Tower of London, as an accessory before the fact.

I know your hopes cannot behold this nobleman, but you must remember the great favours which the King hath conferred on him, and must be sensible, that he is yet a member of your body, and a peer as you are, so that you cannot cut him off from your body but with grief; and therefore you will expect from us, that give in the King's evidence, sound and sufficient matter of proof, to satisfy your honours and consciences.

As for the manner of the evidence, the King our master who (amongst his other virtues, excellet in that virtue of the imperial throne which is justice) hath given us command, that we should not expatiate, nor make invectives; but materially pursue the evidence, as it conduceth to the point in question.

A matter, that, though we are glad of so good a warrant, yet we should have done of ourselves; for far be it from us, by any strains, or wit of arts, to seek to play prizes, or to blason our names in blood, or to carry the day otherwise than upon sure grounds; we shall carry the lanthorn of justice, which is the evidence, before your eyes upright, and to be able to save it from being put out with any grounds of evasion or vain defences; that is our parts, and within that we shall contain ourselves, not doubting at all, but that the evidence itself will carry that force, as it shall need no advantage, or aggravation.

First, My Lords, the course, that I will hold in delivering of that which I shall say, for I love order, is this: First, I will speak somewhat of the nature and greatness of the offence, which is now to be tried, not to weigh down my lord with the greatness of it; but rather contrariwise to shew, that a great offence needs a good proof. And that the King, howsoever he might esteem this gentleman heretofore, as the signet upon his finger (to use the scripture phrase), yet, in such a case as this, he was to put him off.

Secondly, I will use some few words touching the nature of the proofs, which in such a case are competent.

Thirdly, I will state the proofs.

And, lastly, I will produce the proofs, either out of examination, and matters of writing, or witnesses *viva voce*.

For the offence itself, it is of crimes next unto high treason the greatest, it is the foulest of felonies: It hath three degrees of stages. First, It is murder by impoisonment. Secondly, It is murder committed upon the King's prisoner in the Tower. Thirdly, I might say, that it is murder under the colour of friendship, but that it is a circumstance moral, and therefore I leave that to the evidence itself.

For murder, my lords, the first record of justice, which was in the world, was judgement upon a murder, in the person of Adam's first-born Cain; and though it was not punished by death, but with banishment, and a mark of ignominy, in respect of the primogenitors, or the population of the world, yet there was a severe charge given, that it should not go unpunished.

So it appeareth likewise in scripture, that the murder of Abner by

Joab, though it were by David respited, in respect of great services past, or reason of state, yet it was not forgotten.

But of this I will say no more, because I will not discourse: It was ever admitted and ranked in God's own tables, that murder is of offences, between man and man, next unto high treason, and disobedience to authority, which sometimes have been referred to the first table, because of the lieutenancy of God in princes the greatest.

For impoisonment, I am sorry it should be heard of in our kingdom: It is not *nostri generis nec sanguinis peccatum*: It is an Italian comfit for the court of Rome, where that person, that intoxicateth the kings of the earth, is many times really and materially intoxicated and impoisoned himself. But it hath three circumstances, which makes it grievous beyond other matters: The first is, That it takes a man away in full peace, in God's and the King's peace, that thinks no harm, but is comforting of nature with refection and food, so that, as the scripture saith, 'his table is made a share.'

The second is, That it is easily committed, and easily concealed; and, on the other side, hardly prevented, and hardly discovered: For murder by violence, princes have guards, and private men have houses, attendants, and arms; neither can such murder be committed, but *cum sonitu*, with some overt and apparent acts, that may discover and trace the offenders: But, for poison, the cup itself of princes will scarce serve, in regard of many poisons, that neither discolour nor distaste: It comes upon a man when he is careless, and without respect; and every day a man is within the gates of death.

And the last is, Because it concerneth not only the destruction of the maliced man, but of every man, *Quis modo tutus erit?* For many times the poison is prepared for one, and is taken by another, so that men die other men's deaths, *Concidit infelix alieno vulnere*, and is, as the Psalmist calleth it, *Sagitta nocte volans*, The arrow that flieth by night, that hath no aim nor certainty; and therefore, if any man shall say to himself, Here is great talk of impoisonment, but I am sure I am safe, for I have no enemies, neither have I any thing another man should long for: Why, that is all one, he may sit next him at the table, that is meant to be impoisoned, and pledge him of his cup: As we may see in the example of 21 Henry VIII. that, where the purpose was to poison one man, there was poison put into barm or yeast, and with that barm pottage or gruel was made, whereby sixteen of the Bishop of Rochester's servants were poisoned; nay, it went into the alms-basket likewise, and the poor at the gate were poisoned. And therefore, with great judgment, did the statute made that year, touching this accident, make impoisonment high treason; because it tends to the dissolving of human society; for whatsoever offence does so, is, in the nature thereof, high treason.

Now, for the third degree of this particular offence, which is, That it is committed upon the king's prisoner, who was out of his own defence, and merely in the King's protection, and for whom the King and the state were a kind of respondent: It is a thing that aggravates the fault much, for certainly, my Lord of Somerset, let me tell you this, that Sir Thomas Overbury is the first man that was murdered in the

Tower of London, save the murder of the two young princes, by the appointment of Richard the Third.

Thus much of the offence, now to the proofs.

For the nature of proofs, you may consider, that impoisonment, of all offences, is the most secret; even so secret, as that if, in all cases of impoisonment, you should require testimony, you should as good proclaim impunity.

Who could have impeached Livia by testimony, for the poisoning of the figs upon the tree, which her husband was wont to gather with his own hands? Who could have impeached Parasetis for the poisoning of the knife she carried with her, and keeping the other side clean, so that she herself did eat of the same piece of meat that they did, whom she did impoison?

These cases are infinite, and need not to be spoken of the secrecy of impoisonment; but wise men must take upon them in these secret cases Solomon's spirit, that, when there could be no witnesses, collected the act by the affection: But yet we are not at our cause, for that, which your lordships are to try, is not the act of impoisonment, for that is done to your hands; all the world by law is concluded to say, that Overbury was poisoned by Weston; but the question before you is of the procurement only, and, as the law termeth it, as accessory before the fact, which abetting is no more, but to do or use any act or means, which may aid or conduce to the impoisonment.

So that it is not the buying, nor the making of the poison, nor the preparing, nor confecting, nor commixing of it, nor the giving, or sending, or laying of the poison, that are the only acts that do amount unto the abetment; but, if there be any other act or means done or used to give opportunity of impoisonment, or to facilitate the execution of it, or to stop, or divert, any impediments that might hinder it, and that it be with an intention to accomplish and atchieve the impoisonment; all these are abetments and accessories before the fact: As, for example, If there be a conspiracy to murder a man, as he journeyeth on the way, and it be one man's part to draw him forth to that journey by invitation, or by colour of some business; and another takes upon him to dissuade some friend of his company, that he is not strong enough to make his defence; and another hath a part to hold him in talk, till the first blow be given; all these, my lords, without scruple, are accessories to the murder, although none of them give the blow, nor assist to give the blow.

My Lords, he is not the hunter alone, that lets slip the dog upon the deer, but he that lodgeth him, and hunts him out, or sets a train or trap for him, that he cannot escape, or the like.

But this, my lords, little needeth in this case; for such a chain of acts of impoisonment, as this, I think, was never heard, nor seen.

And thus much of the nature of the proofs.

To descend to the proofs themselves, I shall keep this course:

First, I will make a narration of the fact itself.

Secondly, I will break and distribute the proofs, as they concern the prisoner.

And, thirdly, According to the distribution, I will produce them, or read them to use them.

So that there is nothing that I shall say, but your lordship shall have three thoughts or cogitations to answer it.

First, When I open it, you may take your aim.

Secondly, When I distribute it, you may prepare your answers without confusion.

And, lastly, When I produce the witnesses, or the examinations themselves, you may again ruminate, and re-advise to make your defence.

And this I do, that your memory and understanding may not be oppressed or overladen with length of evidence, or with confusion of order; nay more, when your lordship shall make your answer in your time, I will put you in mind, where cause shall be, of your omission.

First, therefore, Sir Thomas Overbury, for a time, was known to have great interest and strict friendship with my Lord of Somerset, both in his meaner fortunes, and afterwards, insomuch that he was a kind of oracle of direction unto him; and, if you will believe his own vaunts, being indeed of an insolent and thrasonical disposition, he took upon him, that the fortunes, reputation, and understanding of this gentleman, who is well known to have an able teacher, proceeded from his company and counsel: And this friendship rested not only in conversation and business at court, but likewise in communication of secrets of state; for my Lord of Somerset, exercising at that time, by his majesty's special favour and trust, the office of secretary provisionally, did not forbear to acquaint Overbury with the King's pacquets and dispatches from all parts of Spain, France, and the Low Countries; and this not by glimpses, or now and then rounding in the ear for a favour, but in a settled manner. Pacquets were sent, sometimes opened by my Lord, sometimes unbroken, unto Overbury, who perused them, copied them, registered them, and made table-talk of them, as they thought good. So, I will undertake, the time was, when Overbury knew more of the secrets of state, than the council-table did; nay, they were grown to such inwardness, that they made a play of all the world besides themselves, so as they had cyphers and jargons for the king and queen, and great men of the realm; things seldom used, but either by princes, or their confederates, or at least by such as practise and work against, or at least upon princes.

But understand me, my Lord, I shall not charge you with disloyalty this day; and I lay this for a foundation, That there was great communication of secrets between you and Sir Thomas Overbury, and that it had relation to matters of state and the great causes of this kingdom.

But, my lords, as it is a principle in nature, That the best things are in their corruption the worst, and the sweetest wine maketh the sowrest vinegar; so fell it out with them, that this excess, as I may say, of friendship ended in mortal hatred, on my Lord of Somerset's part.

I have heard my Lord Steward say sometimes in Chancery, That frost and fraud end foul; and I may add a third, and that is the friend-

ship of ill men, which is truly said to be conspiracy, and not friendship. For it fell out, about a twelvemonth, or more, before Overbury's imprisonment in the Tower, that the Lord of Somerset fell into an unlawful love towards that unfortunate lady, the Countess of Essex, and to proceed to a marriage with Somerset. This marriage and purpose did Overbury mainly impugn, under pretence to do the true part of a friend, for that he accounted her an unworthy woman.

But the truth was, Overbury, who, to speak plainly, had little that was solid for religion, or moral virtue, but was wholly possessed with ambition and vain-glory, was loth to have any partners in the favour of my Lord of Somerset, and especially not any of the house of the Howards, against whom he had always professed hatred and opposition.

And, my lords, that this is no sinister construction, will appear to you, when you shall hear, that Overbury made his brags to my Lord of Somerset, that he had won him the love of the lady by his letters and industry: So far was he from cases of conscience in this point.

And certainly, my lords, howsoever the tragical misery of this poor gentleman, Overbury, might somewhat obliterate his faults, yet, because we are not upon points of civility, but to discover the face of truth before the face of justice, for that it is material to the true understanding of the state of this cause, Overbury was naught and corrupt; the ballads must be mended for that point.

But to proceed: When Overbury saw, that he was like to be possessor of my lord's grace, which he had possessed so long, and by whose greatness he had promised himself to do wonders, and being a man of an unbounded and impudent spirit, he began not only to dissuade, but to deter him from the love of that lady, and, finding him fixed, thought to find a strong remedy; supposing that he had my lord's head under his girdle, in respect of communication of secrets of state; as he calls them himself, 'secrets of nature;' and therefore dealt violently with him, to make him desist, with menaces of discovery, and the like. Hereupon grew two streams of hatred upon Overbury; the one from the lady, in respect that he crossed her love, and abused her name, which are furies in women; the other of a more deep nature, from my Lord of Somerset himself, who was afraid of Overbury's nature, and that, if he did break from him, and fly out, he would wind into him, and trouble his whole fortunes. I might add a third stream of the Earl of Northampton's ambition, who desires to be first in favour with my Lord of Somerset, and, knowing Overbury's malice to himself, and to his house, thought that man must be removed and cut off; so as certainly it was resolved and decreed, that Overbury must die.

Hereupon they had variety of devices to send him beyond the seas, upon occasion of employment.

That was too weak, and they were so far from giving way to it, that they crossed it; there rested but two ways of quarrel, assault and poison. For that of assault, after some proposition and attempt, they passed from it, as a thing too open and subject to more variety of shame; that of poison likewise was an hazardous thing, and subject to many

preventions and caution, especially to such a working and jealous brain as Overbury had, except he was first fast in their hands; therefore the way was first to get him into a trap and lay him up, and then they could not miss the mark; and, therefore, in execution of this plot, it was denied, that he should be designed to some honourable employment in foreign parts, and should underhand, by my Lord of Somerset, be encouraged to refuse it; and so, upon contempt, he should be laid prisoner in the Tower; and then they thought he should be close enough, and death should be his bail, yet were they not at their end; for they considered, that if there were not a fit lieutenant of the Tower for their purpose, and likewise a fit underkeeper of Overbury: First, They should meet with many impediments in the giving and the exhibiting of the poison. Secondly, They should be exposed to note an observation that might discover them. And, thirdly, Overbury, in the mean time, might write clamorous and furious letters to his friends, and so all might be disappointed. And, therefore, the next link of the chain was, to displace the then Lieutenant Wade, and to place Yelvis, a principal abettor in the imprisonment; to displace Carey, that was underkeeper in Wade's time, and to place Weston, that was the actor in the imprisonment. And this was done in such a while, that it may appear to be done, as it were, in a breath.

Then, when they had this poor gentleman in the Tower close prisoner, where he could not escape nor stir, where he could not feed but by their hands, where he could not speak or write but through their trunks, then was the time to act the last day of his tragedy.

Then must Franklin, the purveyor of the poison, procure five, six, seven several poisons, to be sure to hit his complexion: Then must Mrs. Turner, the lay mistress of the poisons, advise what works at present, and what at a distance: Then must Weston be the tormentor, and chace him with poison after poison, poison in salt meats, poison in sweet meats, poison in medicines and vomits, until, at last, his body was almost come, by use of poison, to the state of Mithridates's body, by the use of treacle, and preservatives, that the force of the poisons is blunted upon him; Weston confessing, when he was chid, for not dispatching him, that he had given him enough to poison twenty men.

And, lastly, because all this asked time, courses were taken by Somerset, both to divert all the true means of Overbury's delivery, and to entertain him with continual letters, partly with hopes and protestations for his delivery, and partly with other fables and negotiations, somewhat like some kind of persons which keep in a tale of fortune-telling, when they have a felonious intent to pick their pocket and purses.

And this is the true narration of this act, which I have summarily recited.

Now, for the distribution of the proofs, there are four heads to prove you guilty, whereof two are precedent to the imprisonment, the third is present, and the fourth is following or subsequent, for it is in proofs, as it is in lights; there is a direct light, and there is a reflexion of light, and a double light.

The first head or proof thereof is, that there was a root of bitterness,

a mortal malice or hatred, mixed with a deep and bottomless mischief, that you had to Sir Thomas Overbury.

The second is, That you were the principal actor, and had your hand in all those acts, which did conduce to the impoisonment, and gave opportunity to effect it, without which, the impoisonment could never have been, and which could seem to tend to no other end, but to the impoisonment.

The third is, That your hand was in the very impoisonment itself; and that you did direct poison, and that you did deliver poison; and that you did continually hearken to the success of the impoisonment; and that you spurred it on, and called for dispatch, when you thought it lingered.

And, lastly, That you did all things after the impoisonment, which may detect a guilty conscience, for the smothering of it, and the avoiding of punishment for it, which can be but of three kinds.

That you suppressed, as much as in you was, testimony; that you did deface, destroy, clip, and misdate all writings that might give light to the impoisonment; and you did fly to the altar of guiltiness, which is a pardon of murder, and a pardon for yourself, and not for yourself.

In this, my lord, I convert my speech unto you, because I would have you alter the points of your charge, and so make your defence the better.

And two of these heads I have taken to myself, and left the other to the king's two serjeants.

For the first main part, which is the mortal malice, coupled with fear, that was in you, to Sir Thomas Overbury, although you did palliate it with a great deal of hypocrisy and dissimulation, even to the very end: I will prove it, my Lord Steward, the root of this hate was that which cost many a man's life, that is, fear of discovering of secrets; I say, of secrets of a dangerous and high nature, wherein the course that I will hold shall be this:

I will shew that a breach and malice was betwixt my Lord and Overbury, and that it burst forth into violent threats and menaces on both sides.

Secondly, That these secrets were not of a light, but an high nature, I will give you the elevation of the pole; they were such, as my Lord of Somerset had made a vow, that Overbury should neither live in court, nor country; that he had likewise opened himself so far, that either he or himself must die for it; and of Overbury's part, he had threatened my lord, that, whether he did live or die, my lord's shame should never die; but that he would leave him the most odious man in the world: And, further, that my Lord was like enough to repent where Overbury wrote, which was in the Tower of London; he was a prophet in that; so there is the highest of the secret.

Thirdly, I will shew you, that all the King's business was, by my lord, put into Overbury's hands, so as there is work enough for secrets, whatsoever they write them; and, like princes confederates, they had their cyphers and their jargons.

And, lastly, I will shew you, that it was but a toy to say the malice was only in respect he spoke dishonourably of the lady, or for doubt of breaking the marriage, for that Overbury was coadjutor to that love, and the Lord of Somerset was as deep in speaking ill of the lady, as Overbury: And, again, it was too late for that matter, for the bargain of the match was then made, and past; and, if it had been no more than to remove Overbury, for disturbing the match, it had been an easy matter to have landed over Overbury, for which they had a fair way, but that would not serve.

And, lastly, *Periculum periculo vincitur*, to go so far as an imprisonment, must have a deeper malice than flashes, for the cause must have a proportion in the effect.

For the next general head, or proof, which consists in the acts preparatory, or middle acts, they are in eight several points of the compass, as I may term them.

First, There were divers devices and projects to set Overbury's head on work to dispatch him, and to overthrow him, plotted between the Countess of Somerset, the Earl of Somerset, and the Earl of Northampton, before they fell upon the imprisonment; for always, before men fix upon a course of mischief, there will be some rejection; but die he must, one way or other.

Secondly, That my Lord of Somerset was principal practiser, I must speak it, in a most perfidious manner, to set a train and trap for Overbury to get into the Tower, without which, they durst not attempt the imprisonment.

Thirdly, That the placing of the lieutenant Yelvis, one of the imprisoners, was done by my Lord of Somerset.

Fourthly, That the placing of Weston, the underkeeper, who was the principal imprisoner, and the displacing of Carey, and the doing all this within the while of fifteen days after Overbury's commitment, was by the means and countenance of my Lord of Somerset. And these were the active instruments of the imprisonment; and this was a business the lady's power could not reach unto.

Fifthly, That because there must be a cause of this tragedy to be acted, and chiefly because they would not have the poisons work upon the sudden, and for that the strength of Overbury's nature, or the very custom of receiving the poisons into his body, did overcome the poisons, that they wrought not so fast; therefore Overbury must be held in the Tower, as well as he was laid in; and, as my Lord of Somerset got him into the trap, so he keeps him in, and abuses him with continual hope of liberty; but diverted all the true and effectual means of his liberty, and makes light of his sickness and extremities.

Sixthly, That not only the plot of getting Overbury into the Tower, and the devices to hold and keep him there, but the strange manner of the close keeping of him, being in but for a contempt, was, by the device and means of my Lord of Somerset, who denied his father to see him, denied his servants that offered to be shut up close prisoners with him, and, in effect, handled it so, that he made him close prisoner to all his friends, and exposed to all his enemies.

Seventhly, That all the advertisement the lady received from time to time, from the lieutenant, or Weston, touching Overbury's state of body and health, were ever sent nigh to the court, though it were in progress, and that from my lady, such a thirst and listening he had to hear that he was dispatched.

Lastly, That there was a continual negotiation to set Overbury's head on work, that he should undertake to clear the honour of the lady, and that he should be a good instrument towards her, and her friends; all which was but entertainment: For your lordships shall see divers of my Lord of Northampton's letters, whose hand was deep in this business, written, I must say, in dark words and clauses; that there was one thing pretended, and another thing intended. That there was a real charge, and somewhat not real; a main drift and dissimulation: Nay, further, there are some passages, which the peers, in their wisdoms, will discern, to point directly at the impoisonment.

THE

REBELS CATECHISM:

Composed in an easy and familiar way, to let them see the heinousness of their offence, the weakness of their strongest subterfuges, and to recall them to their duties both to God and man.

Whosoever resisteth the power, resisteth the ordinance of God; and they that resist, shall receive to themselves damnation. Rom. xiii. 2.

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To the Christian Reader,

Reader, thou must not look for all things new, in a point so agitated, so thoroughly discussed and canvassed as this hath been. It is well if they who come behind both in time, and knowledge, add any thing, though it be but little, unto those before them. All, I shall promise thee in this short discourse, is, that I have contracted, into a narrow compass, what I found scattered and diffused in many, and those larger tracts; which I have offered to thy view in a more easy and familiar way than hath been formerly presented. And something thou shalt meet with here, which thou hast not found in any other discourses of this argument, besides the fashion and the dress. These are the most prevailing motives I can lay before thee, to tempt thee

to the studying of this catechism; which, if it shall confirm thee in thy duty unto God and the King, or reclaim thee from thy disaffection unto either of them, it is all I aim at; and so fare thee well.

January 25, 1643.

QUESTION. Who was the first author of rebellion?

A. The first author of rebellion, the root of all vices, and the mother of all mischief (saith the book of Homilies) was Lucifer, first, God's most excellent creature, and most bounden subject, who, by rebelling against the majesty of God, of the brightest and most glorious angel, became the blackest and foulest fiend and devil; and, from the height of heaven, is fallen into the pit and bottom of hell.

2. Q. How many sorts of rebellion are there?

A. Three most especially; that is to say, the rebellion of the heart, the rebellion of the tongue, and the rebellion of the hand.

3. Q. What is the rebellion of the heart?

A. The rebellion of the heart is a rancorous swelling of the heart, against the authority and commands of the supreme power under which we live: Which, though it be so cunningly suppressed and smothered, that it break not out either into words or deeds, yet makes a man guilty of damnation, in the sight of God. And this is that of which the Wiseman tells us, saying, Curse not the King, no, not in thy thought; for a bird of the air shall carry the voice, and that which hath wings shall tell the matter. Eccles. x. ver. 20.

4. Q. What is the rebellion of the tongue?

A. The rebellion of the tongue is a malicious defaming of the person, actions, parts, and government of those sovereign princes to which the Lord hath made us subject, of purpose to disgrace them amongst their people, to render them odious and contemptible, and, consequently, to excite their subjects to rise up against them. Of this, it is, whereof the Lord God commanded, saying, Thou shalt not speak evil of the ruler of thy people, Exod. xxii. 28, acknowledged for a divine precept by St. Paul. Acts xxiii. 5. See, to this purpose also, that of Solomon, Prov. xxiv. 21, where it is said, It is not fit to say unto a King, Thou art wicked: And, if it be not fit to speak evil to him, assuredly it is as unfit to speak evil of him. And, finally, of this it is, that Aristotle the philosopher tells us, saying, 'Ο κατηγορεύων τὸν ἀρχόντα, εἰς τὴν πόλιν ὑβρίζει. He, that speaks evil of the magistrate, offends against the commonwealth. But I must let you know, withal, that, though this of the tongue be a distinct species of rebellion, and so judged in law, yet many times this, and the other of the heart, are but the ground and preparations to the rebellion of the hand, or actual rebellion, as they call it commonly. And this appears most plainly in the story of Absalom, whose heart first swelled against his father, for being so difficult in restoring him to his court and presence, upon the murder which he had committed on his brother Amnon, 2 Sam. xiv. 24, 28. and his tongue found the way to disgrace his government, which he accused of negligence and injustice, to the common people, 2 Sam. xv. 2, 3, &c. before he blew the trumpet, and took arms against him, and made him flee with some few

servants, from the royal city, ver. 14. But here we take it not for a preparation, but for a species distinct, as before was said.

5. Q. Why do you call the swellings of the heart, and the revilings of the tongue, by the name of rebellion, considering, that the law, which punisheth rebellion with no less than death, doth take no cognisance of men's thoughts; and that when Gervase Shelvey, of Sandwich, said lately to a gentleman of that town, that, if the King came thither, he would shoot the rogue; for which, he was imprisoned by the mayor now being: It was resolved by the high court of parliament, that that these words were but a misdemeanor, and so he was released again?

A. The house of commons, which you call the high court of parliament, did not so much deliver their judgment in the case aforesaid, as betray their disaffection in it to his Majesty, whose person they endeavour to destroy, that they may keep his power still amongst themselves: Or, if they did, it was a very false and erroneous judgment, directly contrary unto the resolution of my lords the judges, and other sages of the law in all former ages, by whom it is affirmed expressly, that if any man do compass or imagine the death of our lord the King (as all rebels do) and doth declare the same imagination by any overt-act, either deed or word, he shall suffer judgment as a traitor, *Licet is id, quod in voluntate habuit, ad effectum non perduxerit*, as Bracton hath it; although it do not take effect, and go no farther than the thought or purpose of the first contriver. Upon which ground it was, no question, that Shimei suffered death by the hands of Solomon. For, although David spared him upon submission, because he would not intermix the joy of his return unto Jerusalem with any sad and mournful accident (as that must needs have been unto Shimei's friends) 2 Sam. xix. 22. yet he gave order to his son, to bring his hoary head down to the grave with blood, because he had cursed him with a grievous curse, in the day when he went to Mahanaim, 1 Kings ii. 8. which was accordingly performed by Solomon, ver. 46.

6. Q. But Shimei's case can be no precedent to us, who are not governed by the judicial law of Moses, but by the common law of England, and the ruled cases in that law. And, therefore, tell me, if you can, whether our own books do afford you any of the like examples?

A. Our own books do afford us many; as viz. in the case of Walker, a citizen of London, and that of Mr. Burdet, an esquire of Warwickshire, both executed in the time of King Edward the Fourth, for words which might be construed to a treasonable and rebellious sense, though, perhaps, no ill meaning was intended: That of the Windsor butcher, in the reign of King Henry the Eighth, for saying, that, rather than sell his meat at so mean a rate, he would send it to the rebels in the north; and, finally, of one Oldnoll, one of the yeomen of the guard in Queen Mary's time, who had judgment of death for certain traitorous and seditious words spoken against her Majesty, although no insurrection or rebellion did ensue upon them. For the particulars, I must refer you to our law books, and the common chronicles.

7. Q. Proceed we now unto your third and last sort of rebellion, and tell me what you mean by the rebellion of the hand, and how many sorts there are of it?

A. The rebellion of the hand is of two sorts, whereof the first is the composing and dispersing of false and scandalous books and pamphlets, tending to the dishonour of the King, his subordinate officers, and form of government, of purpose to alienate the affections of his subjects from him, and make them the more apt to rebel against him. And this is punishable with death also, by the law of England, as may appear by the examples of Bugnall, Scot, Heath, and Kennington, being sanctuary-men in St. Martin's le Grand, London, who had judgment to be hanged, drawn, and quartered, in the time of King Henry the Seventh, for setting up seditious bills, to the scandal of the King, and some of his council: Of Penry, Udall, Barrow, Greenwood, Studley, Billott, and Bowdler, zealous puritans all, all of which were condemned, and three of them hanged in Queen Elisabeth's time, for writing treasonable and seditious books, by which the peace of the kingdom might have been disturbed, though no rebellion followed on them: Of Copping and Thacker, who were hanged at St. Edmundsbury, in the said Queen's time, for publishing the pamphlets wrote by Robert Browne, against the book of common-prayer; which Compton thus reports in his lawyers French, *Deux executez pour poublier les livres de Robert Browne, encontre le livre de common praut.* And, finally, witness the example of Mr. Williams, a barrister of the Middle Temple, who was executed in King James's reign, for writing a defamatory book, against the said King, and his posterity.

8. Q. What is the other sort of that rebellion, which you call the rebellion of the hand.

A. The other sort of the rebellion of the hand is that which commonly is called 'actual rebellion,' and is defined by the statute of the 25th of King Edward the Third, to be a levying of war against our sovereign lord the King, in his realm, or an adhering to the King's enemies in his realm, giving to them aid and comfort in the realm, or elsewhere. And so it is determined also in the civil laws, by which all those, *qui arripiunt arma contra eum cujus jurisdictioni subditi sunt*, who take up arms against such persons to whose authority they are subject, are declared to be rebels. Where note, that not the open act only, but the attempt and machination is brought within the compass of rebellion. *Rebellio ipse actus rebellandi est, qui non solum facto sed machinatione committitur*, as those lawyers tell us. And it is worth our observation, that not only the bearing arms against the King is declared to be rebellion by the law of England, but that it was declared to be rebellion by the chief judges of this kingdom, at the arraignment of the Earl of Essex (the father of him, who now is in the head of this rebellion) for any man to seek to make himself so strong, that the King should not be able to resist him, although he broke not out into open act.

9. Q. What is the end that rebels do propose unto themselves, when they put themselves into rebellion?

A. The deposition and destruction of the King in possession, and an alteration of the present government. And so it was determined, by

the joint consent of all the judges, at the arraignment of the Earl of Essex, abovementioned, by whom it was resolved, for law, that, in every rebellion, there was a plot upon the life and deposition of the prince; it being not to be conceived, that the rebels would suffer him to live or reign, who might have opportunity, in the change of things, to punish them for their rebellions, and avenge himself upon them for their treasons. And this they did confirm by the civil laws, and further justify and confirm by the strength of reason, with which it seemed inconsistent, *Ut qui semel Regi jus dixerit*, that he, who had once over-ruled his King by force of arms, should either suffer him to live, or recover the possession of his realm again. All which they made good, by the sad examples of King Edward the Second, and King Richard the Second, who did not long enjoy either life or crown, after they came into the hands of those who rebelled against them.

10. Q. But those examples, which you speak of, were in times of popery: Have you the like to shew since the reformation?

A. I would to God we had none such, but we have too many. For, not to look into our neighbouring realm of Scotland, and the proceedings of some there, who called themselves protestants, against their queen; the rebellion plotted by the Earl of Essex in Queen Elisabeth's time, though there was nothing less pretended, was to have ended in the death of the queen, and the alteration of the government. For, as was afterwards confessed by some of his accomplices, the secret part of the design was, to have seized upon the queen, and secured his adversaries in the court; whom, when he had condemned and executed, *Parlamento indicto reipub. formam immutare statuit*; He then resolved to call a parliament, and settle a new form of government. Which, how it could be done, and the queen alive, I believe you know not. And so much was acknowledged by the Earl himself, after the sentence of death was passed upon him, when he affirmed to certain of her Majesty's council, *Reginam sospitem esse non posse, si ipse supersit*, that, whilst he lived, it was not possible for the queen to continue in safety. Thus have you seen the main design of that rebellion, as of all others whatsoever; what his pretences were which he cast abroad, the better to seduce the people, I shall not stick to tell you, if you put me to it.

11. Q. I shall not trouble you with this at this present time. But, since you say, that levying of war against the King is properly and truly to be called rebellion, I would fain ask, whether you mean it only in such cases where the subjects take up arms out of pride and wantonness, or in such also when they are necessitated and forced unto it in their own defence?

A. I mean it equally in both cases, though, of the two, the former be more odious in the sight both of God and man. For even defensive arms, as your party calls them, are absolutely unlawful in the subject against his sovereign; in regard, that no defensive war can be undertaken, but it carrieth a resistance in it to those higher powers, to which every soul is to be subject: Which powers being obtained by Almighty God. it followeth, by the Apostle's logick, who was a very able disputant, that they, who do resist the powers, resist the ordinance of God, and, consequently, shall receive to themselves damnation. A

rule which took such deep impression in the primitive Christians, that, though for personal valour, numbers of men, and leaders able to conduct them, they were superior to the adverse party in the Roman empire, yet they chose rather to expose their lives unto the merciless fury of the persecutors, than take up arms against their princes, or disturb the peace of their dominions, under pretence of standing in their own defence, being so tyrannically and unjustly handled. For proof whereof, we may alledge Tertullian, Cyprian, Lactantius, and some other ancients, whose words we will produce at large, if you think it necessary.

12. Q. You need not put yourself to that trouble. For we deny not, that the ancient Christians did rather choose to suffer, than to take up arms; but, when we say, that, though they were exceeding numerous, yet they were not formed into states and kingdoms, and that when they were once estated in laws and liberties, as in France, Holland, Scotland, and Germany, they made no question then to defend themselves: What can you answer unto that?

A. I suppose the Roman empire was a settled state, as strongly cemented with all the ligaments of power and policy, as any one of these you mention; and that the subjects of that empire had their laws and liberties, which, as their ancestors had received from the indulgence of their emperors, and the Roman senate, so they transmitted them to their posterity. And yet, when all the empire had received the faith in the time of Constantine, and that no religion but the Christian had publick countenance from the laws, during the most part of his reign, and the whole reign of his three sons (which was for fifty-five years, no fewer) the subjects kept themselves to their former principles. Insomuch that, when the Emperor Julian began to intrench upon their liberties, and infringe those laws, which had been granted them by the grace and goodness of those princes, they knew no other way, nor weapons, by which to make resistance to such lawless violence, but their prayers and tears: *Καὶ τὸ το μόνον κατὰ τὴ δυνάμει φάρμακον*, And this was all the medicine which they had to cure that malady, as we find in Nazianzen. The like I could produce from St. Ambrose also, were not this sufficient. And for your instances of France, Holland, Scotland, and Germany, which you have mustered up to make good your cause; I am sorry for the protestant religion's sake, that you have furnished me with so many examples of rebellions since the reformation; some of which ended in the death, and others in the deposition of their natural princes: which was a point you seemed to doubt of in your tenth question.

13. Q. But, tell me seriously, do you conceive that all resistance of this kind, made by force of arms, may be called rebellion; and that there are no cases which may make it lawful, and warrantable by the laws of God or man?

A. Your question hath two several parts, and must receive two several answers. And, to the first, I answer seriously, it being now no time to trifle, that all resistance, of the kind you speak of, not only may be called rebellion, but is rebellion in the true and natural sense of the word. For if, as the Civilians say, *Rebellis dicitur inobediens*

Principi circa concernentia prosperitatem Imperii, That every one may be said to be a rebel, who yielded not obedience to his prince in all such particulars, as do concern the flourishing estate of his dominions; assuredly he is a rebel in the highest degree, who takes up arms against his sovereign, whatever his pretences be, and, by so doing, doth embroil his kingdoms in all these miseries, which most inseparably are annexed to a civil war. Now frame the second part of the present query, into a distinct question of itself, and I will give such an answer to it, as I hope shall satisfy.

14. Q. My question is, Whether the condition of the persons which are engaged in such resistance, the grounds on which they go, and the end they aim at, make not an alteration in the case; so that resistance, qualified by these several circumstances, become not warrantable by the laws both of God and man?

A. The answer unto this is already made in the book of Homilies; where it is said, that, 'Though not only great multitude of the rude and rascal commons, but sometimes also men of great wit, nobility, and authority, have moved rebellion against their lawful princes; though they should pretend sundry causes, as the redress of the commonwealth, or reformation of religion, though they have made a great shew of holy meaning by beginning their rebellion with a counterfeit service of God, and by displaying and bearing about divers ensigns and banners, which are acceptable unto the rude ignorant common people (great multitudes of whom, by such false pretences and shews, they do deceive and draw unto them) yet, were the multitudes of the rebels never so huge and great, the captains never so noble, politick, and witty, the pretences feigned to be never so good and holy, yet the speedy overthrow of all rebels, of what number, state, or condition soever they were, or what colour or cause soever they pretended, is, and ever hath been such, that God doth thereby shew, that he alloweth neither the dignity of any person, nor the multitude of any people, nor the weight of any cause, as sufficient for which the subjects may move rebellion against their princes.' So far the very words of the book of Homilies.

15. Q. Why do you tell us thus of the book of Homilies, composed by a company of ignorant bookmen, men utterly unskilful in the laws of the land. Think you that we ascribe to them so much authority, as to be over-ruled by them in this case?

A. It may be not. But I must tell you that there was a statute made in the thirteenth year of Queen Elisabeth, intituled, An act for reformation of disorders in the ministers in the church, &c. in which it was enacted, amongst other things, that all who were to be admitted unto holy orders, or instituted into any ecclesiastical preferment, should first subscribe unto the articles of religion, agreed upon in convocation, anno 1562. One of which articles recites the names and titles of each several homily, and approves their doctrine. So that, although the Homilies were at first composed by men unskilful in the laws, as you please to say, yet they received both strength and approbation from the skilfullest lawyers of those times, convened with the nobility and gentry in the court of parliament, and consequently have as much authority as

the parliament could add unto them. But, since you are not pleased with this general answer, give me your doubts and queries in particular, and see what I can say unto them?

16. Q. First then, I ask, whether if the King become a tyrant, it be not lawful, in that case, to bear arms against him?

A. Yes, if George Buchanan may be judge, who tells us plainly that he would have rewards proposed to such as should kill a tyrant, as formerly there were for those who destroyed wolves. But, if St. Paul may rule the case, we shall find it otherwise. For if we ask to whom it was that the Apostle did command subjection to be given, even by every soul; to whom it was that he forbade resistance to be made, upon pain of damnation; we shall find it was no other than the Emperor Nero, the greatest tyrant, the bloodiest and most terrible prince, the greatest monster of mankind, that ever yet was born of woman. Yet St. Paul, writing to the Romans, over whom he did so cruelly tyrannise, commanded every soul to be subject to him, not for wrath only, but for conscience sake, and that, upon the pain and peril of damnation, no man should be so bold as to resist his power, or rebel against him. And, doubtless, Nebuchadnezzar was a mighty tyrant, one who had taken from the Jews their laws, their liberty, their religion, and whatsoever else was most dear unto them. Yet were the Jews commanded to submit unto him, and patiently to bear the yoke which was laid upon them; and not to hearken to their prophets, nor to their diviners, nor unto their dreamers (mark it, for this is just your case) which speak unto you, saying, Ye shall not serve the King of Babylon, for they prophesy a lye unto you, that you should perish, Jerem. xxvii. v. 9. Finally, to oppose the saying of an heathen man, unto that wicked speech of him who did pretend so much unto reformation, we find it thus resolved in Plutarch, *Ὁ δὲ Σενεκὰς ἐπὶ τοῖς ἐπισημασμένοις βασιλεῦσι σώματι τὰς χεῖρας προσφέρει*, That it was contrary both to positive laws, and the law of nature, for any subject to lift up his hand against the person of his sovereign.

17. Q. Is it not lawful to bear arms against sovereign princes, for the preservation of religion?

A. Yes, for those men who place religion in rebellion, and whose faith is faction, but for no men else. The Jews might well have pleaded this against Nebuchadnezzar, when he destroyed their temple, and forbade their sacrifices; and the Christians in Tertullian's time, when they were at the strongest, against the Emperor Severus, who did not only labour to suppress religion, but utterly to root out the professors of it; and yet the contrary doctrine was then preached and practised, as before was shewed you. What weapons the poor Christians did make use of, in the time of Julian the apostate, in his endeavours to subvert the gospel, and establish Paganism again in the place thereof, we told you lately out of Nazianzen; and shall now add, that the Christian party was then so strong and powerful in the Roman armies, that, when Jovian was elected Emperor on the death of Julian, the soldiers with one voice cried out, *Καὶ αὐτὸς εἶναι χριστιανός*, That they were all Christians. So that it was not consciousness of their own weakness, nor the fear of wrath; but conscience of their duty, and the fear of God,

which made them patiently submit to the present storm. Thus, when the younger Valentinian endeavoured to supplant the true religion, and to set up Arianism, to which he strongly was addicted, the tyrant Maximus made offer to St. Ambrose of his arms and forces, the better to enable him to resist the Arians, and to preserve the true religion; but the good father absolutely refused the offer. And though he was so well beloved and honoured by the people generally, that he could easily have armed them against the Emperor, and crushed the Arian faction in the court, by whom his councils were directed; yet he betook himself to no other weapons, than his prayers and tears, the ancient weapons of the Christian: *Coactus repugnare non novi, dolere potero, potero flere, potero gemere; aliter nec debeo nec possum resistere*; other resistance knew he none, though pressed and oppressed too, than his tears and prayers.

18. Q. What, if he violate our laws, and infringe our liberties, may we not then bear arms against him?

A. Somewhat in answer to this you received before, in the command imposed upon the Jews by the prophet Jeremy, not to rebel, or take up arms (which come both to one) against Nebuchadnezzar, King of Babylon, although he did so tyrannise and lord it over them, that neither their old laws, nor liberties, were a jot regarded. But that, which I shall tell you now, is St. Paul's case, in the xxiii of the Acts. Being brought to plead his own cause, and the Gospel's too, before the council of Jerusalem, in the first entrance to his plea, the high-priest, Ananias, commanded them that stood by to smite him on the mouth; and sitting there to judge him after the law, commanded him to be smitten contrary to the law. St. Paul, upon the apprehension of so great an injury, so plainly contrary unto the laws, and liberties of the Jewish subject, calls him whited wall, and threateneth him with vengeance from Almighty God. But finding that it was the high-priest whom he had reviled (who had sometimes the supreme government of the Jewish state) he cried Peccavi out of hand, imputed his offence to ignorance, I wist not, brethren, that he was the high-priest; and, finally, condemned himself with a *Scriptum est*, saying, It is written, thou shalt not speak evil of the ruler of thy people. If so, in case we may not speak evil of our rulers, when they smite us contrary to the laws, and the subject's liberty, which is the rebellion of the tongue, assuredly we may not take up arms against them, under those pretences, which is the rebellion of the hand.

19. Q. What, if the King be in the hands of evil counsellors, may we not take up arms to remove them from him?

A. Yes, if the Earl of Essex may be judge, whose father fell into rebellion under that pretence, *ut regnum ab impotenti quorundam dominatu liberaret*, as to free the kingdom from some men who had got the queen into their hands, and consequently ingrossed unto themselves the principal managery of the commonwealth. But he had other aims than that, as before was told you; and so had they that went before him in the self-same road. When Watt Tyler, and Jack Straw, and the residue of that rascal rabble, had took up arms against King Richard the Second, they made the Londoners believe (who have been

always apt to be deluded by the like pretences) that, when they had seized on the evil counsellors, which abused the King, and brought them to a legal trial, then they would be quiet. But, under this pretence, they broke open prisons, robbed churches, murdered the King's good subjects, and finally, arrived to so high an impudence, that Watt Tyler did not stick to say, That, within four days, all the laws of England should proceed from his mouth. And, when Jack Cade had drawn the Kentish to rebel against King Henry the Sixth, he gave it out, that, if he could get the King and Queen into his hands, he would use them honourably; but, if he could lay hands on any of the traytors which were about them, he would take care to see them punished for their misdemeanors. But, in good truth, the end and aim of the rebellion was to depose King Henry and the house of Lancaster, in favour of the title of the Duke of York.

20. Q. What, if the King assaults a subject, or seek to take away his life; may not the subject, in that case, take up arms against him?

A. Yes, if Paræus may be judge, and some of the Genevan doctors, who have so determined. But David's case, which commonly is alledged in defence hereof, if looked on with the eyes of judgment, doth affirm the contrary. For David, though he had a guard of some friends and followers, to save him from the hands of such wicked instruments, as Saul, in his unjust displeasure, might have used against him; yet he preserved himself from Saul, not by resistance, but by flight, by flitting up and down as the King removed, and approached near him with his armies. For, had he had a thought of war, though defensive merely, it is probable he would have took the opportunities which were offered to him, either of seizing Saul's person, when he had him all alone in the cave of Engeddi; or suffering Abishai to smite him, as he lay asleep in the hill of Hachilah; or, at the least, in making sure of Abner and the host of Saul, who lay sleeping by him. But David was not so well tutored in the art of rebellion, as to secure himself this way, and wanted some of our new masters to instruct him in it. If, from the practice of a pious and religious Jew, we will look down upon the precept of a grave, wise, and learned Gentile, we shall find this rule laid down in Aristotle: *Εἰ ἀρὲν ἔχον ἀπάταξεν ὁ δὲ ἀντιπληγῆναι*, That, if the magistrate assault the person of a private subject, the subject may not strike again, nor lift hand against him. Finally, that you may perceive how much all sorts of men do oppose your doctrines, Calvin himself, although no friend to monarchy, doth affirm thus much, *Qui privatus manum intulerit, &c.* That any private person, of what sort soever, who shall lift up his hand against his sovereign, though a very tyrant, is, for the same, condemned by the voice of God.

21. Q. Perhaps we may so far agree with you, as to disable private persons from bearing arms, and lifting up their hands against Kings, and princes, of their own authority: But think you, that inferior magistrates are not inabled, by their offices, to protect the people, and arm them, if occasion be, in their own defence?

A. It is true, that some divines of the reformed churches, who either lived in popular states, or had their breeding at Geneva, or thought

the discipline, by them defended, could not be otherwise obtruded upon Christian princes, than by putting the sword into the hands of the people, have spared no pains to spread abroad this dangerous doctrine; in which they have not wanted followers in most parts of Christendom. But St. Paul knew of no such matter, when he commanded every soul to yield obedience and subjection to the higher powers, and, upon no occasion, to resist those powers to which the Lord had made them subject. So that, although inferiour magistrates may expect obedience from the hands of those, over whom, and for whose weal and governance, they are advanced and placed by the prince in chief; yet God expects that they should yield obedience to the powers above them, especially to the highest of all, than which there is not any higher. There is a golden chain in politicks, and every link thereof hath some relation and dependence upon that before; so far forth as inferior magistrates do command the people, according to that power, and those instruments which are communicated to them by the supreme prince, the subject is obliged to submit to them, without any manner of resistance. Men of no publick office must obey the constable; the constable is bound to speed such warrants, as the next justice of the peace shall direct unto him; the justices receive the exposition of the law from the mouth of the judges; the judges have no more authority, but what is given them by the King: And thereupon it needs must follow, that though the judges direct the justices, and the justices command the constables, and the constables may call the people to their aid, if occasion be; yet all must yield a free obedience, without reluctancy or resistance, to the King himself. The reason is, because as Kings, or supreme magistrates, are called God's ministers by St. Paul, so the inferior, or subordinate magistrates, are called the King's ministers by St. Peter: Submit yourselves to the King, as unto the supreme; next to such governors as are sent, or authorised, by him, for the punishment of evil-doers. Besides, there is no inferior magistrate, of what sort soever, but, as he is a publick person, in respect of those that are beneath him, so is he but a private man, in reference to the powers above him; and therefore, as a private person, disabled utterly, by your own rules, from having any more authority to resist his sovereign, or bear defensive arms against him, as well as any other of the common people. The government of states may be compared, most properly, unto Porphyry's tree, in which there is one *Genus summum*, and many *Genera subalterna*. Now it is well known to every young logician, who hath learnt his *Prædicabiles*, that *Genus subalternum* is a species only, as it looks up to those above it, a genus in relation unto these below it. If you have so much logick in you, as to make application of this note to the present case, you will perceive inferior magistrates to be no magistrates at all, as they relate unto the King, the *Genus summum* in the scale of government, and therefore of no more authority to resist the King, or call the people unto arms, than the meanest subject.

22. Q. If so, then were the Christian subject of all men most miserable, in being utterly deprived of all ways and means, by which to free his country from oppression, and himself from tyranny. And therefore tell me, if you can, what you would have the subject to in

these extremities, in which you have deprived him of all means to relieve himself?

A. That which the Lord himself prescribed, and the saints have practised. When first the Lord acquainted those of the house of Israel, how heavy a yoke their violence and importunity, in asking for a King, had pulled upon them; he told them of no other remedy for so much affliction, but that they should cry out in that day, because of the King whom they had chosen. No casting off the yoke, when we find it grievous, nor any way to make it lighter and more pleasing to us, than either by addressing our complaints to the Lord our God, or tendering our petitions to our lord the King. Kings are accountable to none but God, if they abuse the power which he gives unto them: Nor can we sue them for a trespass in any other court, than the court of heaven. Therefore, when David had defiled the wife, and destroyed the husband, he thought himself responsible for it unto none but God, against whom only he had sinned, as he saith himself. And whereupon St. Ambrose gives this gloss on those words of David, *Homini ergo non peccavit, cui non tenebatur obnoxius*. David, saith he, confesseth no offence to man, by whom he could not be impleaded; but only unto God, who had power to judge him. St. Gregory of Tours understood this rightly, when he did thus address himself to a King of France, *Si quis de nobis, &c.* 'If any of us, O King, do transgress the laws, thou hast power to punish him; but, if thou goest beyond thy limits, who can punish thee? We tell thee of thy faults, as occasion serves, and, when thou listest to give ear, thou dost hearken to us: which, if thou shouldest refuse to do, who shall judge thee for it, but he that calls himself by the name of justice?' And, that you may be sure, that it is no otherwise in England than in France and Jewry, Bracton, a great and famous lawyer of this kingdom, doth affirm expressly, that, if the King proceed not in his government according unto law and right, there is no legal remedy to be had against him. When then is to be done by the injured subject? *Locus erit supplicationi quod factum suum corrigat et emendet; quod si non fecerit, satis ei sufficit ad penam, quod Dominum expectet ultorem*. All that he hath to do, saith he, is, that he doth petition him for relief and remedy; which, if the King refuse to consent unto, it will be punishment enough unto him, that he must look for vengeance from the hands of God. Which said, he gives this reason for it, because that no man is to call the King's acts in question, *Multo fortius contra factum suum venire*, Much less, to go about to annul and void them by force and violence.

23. Q. We grant it to be true which you cite from Bracton, as it relates to private and particular men; but think you that it doth concern or oblige the parliament, which is the representative body of the kingdom?

A. *Hoc sumus congregati quod et dispersi*, as Tertullian tells us of the Christians in another case. We shewed before, that subjects were in no case to resist their sovereigns, in the way of arms, either as private persons or inferior magistrates: and thereupon we may conclude, that the people of this realm, in the diffusive body of it, having no power of levying war, or raising forces to resist the King, without being punish-

able for the same, as in case of treason, cannot enable the two houses of parliament, which are the representative body of it, to do those acts, which they want power to do themselves; for no man can confer a power upon any other which is not first vested in himself, according to that good old rule, 'Nemo dat quod non habet.' And therefore, if it be rebellion in the English subject, out of times of parliament, to levy war against the King in his realm, or to adhere unto his enemies, and be aiding to them; I know not how it can excuse the members of the two houses of parliament from coming within the compass of that condemnation, if they commit such acts, in time of parliament, and under the pretence of the power thereof, which are judged treason and rebellion by the laws of England.

24. Q. But Mr. Prynne hath learnedly removed that rub, who tells you, that the statute of 25 Edward III. runs (only) in the singular number, If a man shall levy war against the King, and therefore cannot be extended to the houses, who are many, and publick persons; what can you answer unto that?

A. That Mr. Prynne, having so often shewn malice, may have a little leave sometimes to shew his folly, and make some sport unto the kingdom, in these useful times; for, if his learned observation will hold good in law, it is not possible that any rebellion should be punished in a legal way; because so many (and some of them perhaps may be publick persons) are commonly engaged in actions of that wicked nature. And I suppose that Mr. Prynne, with all his learning, did never read of a rebellion, that is to say, of a war levied by the subject against his sovereign, plotted and executed by one man only, in the singular number. Had Mr. Prynne affirmed on his word and credit, that the members of the two houses were not men but Gods, he had then said somewhat which would have freed them from the guilt and danger of that dreadful statute. If he admit them to be men, and grant them to have levied war against his Majesty, or to be aiding to the rebels now in arms against him; he doth conclude them to be guilty of this great rebellion, with which this miserable kingdom is almost laid desolate. His sophistry, and trim distinctions, touching their quality and numbers, will but little help them.

25. Q. We have another plaister which will salve that sore, viz. The difference that is made between the King's person and his power, by which it is made visible to discerning eyes, that though the parliament have levied war against the person of the King, yet they do not fight against his power, but defend it rather. And it is not a resistance of the person but the power of princes, which is forbidden by St. Paul. How do you like of that distinction?

A. As ill, or worse than of the other, as being, of the two, the more serious folly; and coming from an author no less factious (but far more learned I confess) than your other was. For if I do remember right, Buchanan was the first that broached this doctrine in his book, *de Jure Regni apud Scotos*; in which he tells us, that St. Paul, in the place aforesaid, doth not speak of magistrates, *sed de functione et officio eorum qui alius præsunt*, but of the magistracy itself, the function or office of the magistrate, which must not be resisted, though his person may.

Which foolish fancy serving fitly for a cloke or vizard, wherewith to palliate and disguise rebellions, had since been often used by those who pursue his principles (thoug never worn so threadbare as of late, in your treacherous pamphlets) but draweth after it as many, and as gross absurdities as the other did. For by this strange division of the King from himself, or of his person from his power, a traitor may kill Charles, and not hurt the King; destroy the man, and save the magistrate; the power of the King in one of the armies may fight against his person in the other army, his own authority may be used to his own destruction, and one may lawfully set upon him, beat, assault, and wound him, in order to his preservation. So that you make the King like Sosia, in the ancient comedy, who being well beaten, and demanded who it was that did it, made answer, *Egomet, memet, qui nunc sunt domi*: That Sosia, who was at home in his master's house, did beat that Sosia, which was abroad in his master's business. But questionless St. Paul did better understand himself, than either Buchanan, or any of his followers, since his time, have done: who doth interpret the word, power, which he useth in the first and second verses, by that of *principes et minitri*, rulers and ministers, which he useth in the third and fourth: which as it plainly shews that he meaneth the magistrate, and not the function or the office, as your masters tell you; so doth it leave you liable to the wrath of God, if you endeavour to defend these wicked and rebellious courses, by such wretched shifts.

25. Q. What say you then, if it appear that the two houses of parliament (for I use your terms) are not subordinate to the King, but co-ordinate with him? I hope then you will yield so far, that the two houses have a power, if they cannot otherwise provide for the common safety, to arm the people of the realm against him, as against an equal.

A. We grant indeed, that people which have no superior, but stand on equal terms with one another, if injured by their neighbours, and not receivingsatisfaction, when they do desire it, may remedy themselves by force, and for so doing, by the law of nations, are esteemed just enemies; but so it is not in the point, which is now in question, 'The realm of England (as it is declared by act of parliament) being an empire, governed by one supreme head and King, having the dignity and royal estate of the imperial crown of the game, unto whom a body politick, compact of all sorts and degrees of people, divided in terms and by names of spirituality and temporality, be bounden and ought to bear, next to God, a natural and humble obedience.' Assuredly, had the lords and commons, then assembled, conceived themselves co-ordinate with the King, in the publick government, they would not have so wronged themselves and their posterity, as to have made this declaration and acknowledgment so prejudicial thereunto, not only in a parliament time, but by act of parliament. Besides, if this co-ordination, which you dream of, could be once admitted, it must needs follow thereupon, that though the King had no superior, he hath many equals, and where there is equality, there is no subjection. But Bracton tells you in plain terms, not only that the King hath no superior

in his realm, except God alone, but that he hath no equal, neither : *Parem autem non habet in regno suo*, as his words there are. And then he gives this reason of it, *Quia sic amitteret præceptum, cum par in paren non habet imperium*; because he could not have an equal but with the loss of his authority and regal dignity, considering, that an equal hath no power to command another. Now, lest you should object, that is spoken of the King, out of times of parliament, but that, when once the lords and commons are convened in parliament, the case is otherwise: First, you must think that, had this doctrine been on foot in the times preceding, it would have been a great impediment unto frequent parliaments; and that our Kings (as others) being very jealous even of the smallest points of sovereignty, would not admit of partners in the crown imperial, by the assembling of a parliament, having been used to reign alone without any rivals. And, secondly, you may call to mind, that even *sedente parlamento*, during the sitting of the court, the lords and commons call themselves, his Majesties most humble and obedient subjects, which is not only used as a stile of course in such petitions, as they use to present unto him (and by the way, it is not the use for men of equal power to send petitions unto one another) but it is the very phrase in some acts of parliament, for which I do refer you to the book at large. And if they be his subjects, as they say they be, they cannot be his equals, as you say they are; and therefore not to co-ordinate with him, but subordinate to him; by consequence the levying war against the King is no more excusable in them, than the meanest subject.

27. Q. You take great pains to make the parliament, or the two houses, as you call them, to be guilty of rebellion against his Majesty, without ground or reason: for, tell me seriously, think you the parliament hath not power to arm the people, and put them into a posture of defence against the enemies of the kingdom, if they see occasion?

A. Yes, if the King do give consent, and there be such enemies, against whom to arm them; for, properly, according to the ordinary rules of politicks, there is no power of raising forces, and putting the people into arms, but only in the prince, or supreme magistrate. The civil laws have so resolved it: *Nulli prorsus, nobis insciis et inconsultis, quorumlibet armorum movendorum copia tribuatur*: Let none presume to levy forces, whatsoever the pretence or occasion be, without our privy or consent, saith the constitution. If you consult with the divines, St. Austin, a most learned father, will inform you thus: That the natural course and arts of government, accommodated to the peace and welfare of us mortal men, do require thus much, *Ut suscipiendi belli auctoritas atque consilium penes principes sit*: That all authority of making war, and levying forces, appertain only to the prince. And, if you please to look on Bracton, or any of the lawyers of your native country, they will tell you this: That the material sword is put into the hands of the King by Almighty God; that, by the material sword, is meant a power and right to look to the defence and preservation of the kingdom; and that it is no less than treason to enter into any association, or to raise a war, without the King's consent, or against his wil. And this the houses, as it seems, understood full well, when, purposin

to levy forces to begin the war, they took the King's authority along with them for company, and raised them in the name of the King and parliament, the better to seduce the people to a blinded rebellion. As for the enemies of the kingdom, against whom the subjects were to arm themselves by appointment of the houses, I can tell of none; no, nor they neither, as I take it, unless they saw them in their dreams. And, for your 'posture of defence,' as you please to phrase it, (besides what I have proved before, That even defensive arms are absolutely unlawful on the subjects part) the war hath been offensive, plainly, on the part of the houses; which as it was contrived and followed without the least colour of necessity to induce them to it, so did it aim at nothing else, than the destruction of the King, and the alteration of the government; which are the purpose and design of all rebellions, as before was told you.

28. Q. How prove you, that the parliament did begin the war; that, on their parts, it was offensive, not defensive only; or that they had a purpose to destroy the King? If you can make this good, you shall gain me to you.

A. This point hath been so agitated and discoursed already, that it were but labour lost to speak further in it. The votes and orders of the houses for putting the kingdom into a posture of war; the taking into their own hands the whole militia of the kingdom; raising of money, men, and horses in all the quarters of the land; mustering their new-raised horse and foot in Finsbury-fields and Tothill-fields; seizing upon the arms and ammunition, which the King had bought with his own money, and laid up in his own magazines, before the King had either money enough to pay a soldier, powder enough to kill a bird, or men enough about him to guard his person from any ordinary force and violence: What was all this, but a beginning of the war? And who did this, but some prevailing men in the two houses of parliament, under the name and stile of the Lords and Commons? Then, for the managing of the war, if it had been defensive only, as you say it was, What needed a commission to the Earl of Essex to kill and slay all such as opposed these doings? What needed they to have sent some part of their forces into Hampshire, to pluck the town of Portsmouth out of the King's hands, which, by reason of the distance of it, could not do them hurt; another into Dorsetshire, to beat the Marquis of Hertford out of Sherbourn Castle; a third, and that the greatest part, as far as Worcester, and beyond it, to find the King, and give him battle, before he was within an hundred miles of them? What needed they have sent their emissaries into all the counties of the kingdom, to put the people into arms, in which the King had neither power nor party that appeared for him? Or to exhaust the blood and treasure of this nation, under pretence of settling their own privileges, and the subjects liberties, when the King offered more, by his frequent messages, than they had reason to expect? Doubtless, they could pretend no danger, as the case then stood, which might necessitate them to take arms in their own defence; and therefore, now of late, they have changed their terms, and do not make the war defensive merely, but in part preventive. It seems, their consciences told them what they had deserved; and so, for fear the King

might right himself upon them, when he should be in power, they thought it best to strike the first blow, and begin the quarrel, in hope to make such sure work of it, that he should never strike the second. But, to say truth, the war was not preventive neither, on the houses part, but a design that had been plotted long before, and was made ripe for execution, when there was neither ground or colour to possess the people with the fancy, That the King intended force against them. For what purpose else did Sir Arthur Haslerigge and Mr. Pym sojourn two years together with Mr. Knightly, so near the habitation of the good Lord Say? To what end held the correspondence with the discontented party in that country, and took such pains in canvassing for knights and burgesses (when this present parliament was called) in most counties, &c.? Or to what end and purpose had the zealous citizens so used themselves unto their weapons, frequented the artillery-garden, and stored themselves with arms in so large a measure, but that they were resolved to be in readiness, when the time should come? This, if it were not a design, must be done by prophecy, not in the way of a prevention.

29. Q. But to the other point you spoke of, touching the purpose, which you say, they had to destroy the King; can you make any proof of that?

A. I have already told you, from the mouths of our greatest lawyers, that all rebellions aim at no other end, than the destruction of the King, and the change of government; and that this end was aimed at, more especially in this particular rebellion. I shall tell you now, you cannot chuse but call to mind, with what heat and violence, multitudes of the rascally people, as they flocked towards Westminster, clamoured against his sacred majesty, even at Whitehall Gates; and how seditiously they expressed the secrets of their traiterous hearts: Some saying openly, as they passed along, That the King was the traitor; some, That the young prince would govern better; and others, of a more transcendent wickedness, That the King was not fit to live. Next look upon these very men, for, out of them, the body of their army was, at first compounded, trained to the wars, well-armed, and marching furiously to find out the King, against whose sacred person, and most precious life, they had before expressed such a dangerous malice. Then add to this, that, when they came unto Edge-Hill, they bent their cannon more especially, and spent the hottest part of their shot and fury, towards that part of the battle, in which, according unto that advertisement, which the villain Blague had given their general, a man as full of discontent and malice, as the worst amongst them, the King in person and the two young princes meant to be. Put this together, and compare it with some subsequent passages, which have been desperately vented in the house of commons, touching the deposition of the King, without check or censure; and the inviting of a foreign nation, to invade this kingdom, the better to effect their business; and tell me, if you can, what is aimed at else, than the destruction of the King, and his royal issue?

30. Q. I must confess, you put me to it, but I must take some time to consider of it, before I tell you what I think. In the mean season, I have one more doubt to propose unto you, which if you can remove, I am

wholly yours. The name of parliament is sacred to me, and I am loth to scruple any of those actions, which receive countenance and authority from that awful body, Can you make proof, that the party, which remains at Westminster, have not the full authority of the two houses of parliament? If you could make that clear, then the work were done.

A. I dare not take that task upon me, it is too invidious: But I shall offer these few things to your consideration: First, It should seriously be considered, Whether the King, whose presence, as the head of that awful body, gives life and motion to the acts and results thereof, do purposely absent himself to make their consultations frustrate, and their meeting fruitless; or that he hath been driven from them, by force and violence? Secondly, Whether such considerable numbers of the lords and commons, as are now absent from the houses, have left the houses and the service, for no other reason than for compliance with the King, and to serve his ends, in hope of getting honours and preferments by him, or on the motion made by the rascally multitude, to have the names of these given up, who voted not with Say and Pym, and other the good members of both houses? Thirdly, What mischief would ensue both to the church of Christ, and the states of Christendom, if, when the greater and sounder part of parliaments and general councils, shall be driven away, either by the threats and practices of the lesser, and the worse affected; the less and the worse affected part may have the reputation of the whole body, and their actions countenanced by the name thereof? Fourthly, Whether it be not one of the greatest prejudices, which the protestants have against the council of Trent, that it was held in an unsafe place, which they could not come to, without danger; and that the prelates, there assembled, were so prelimited by the pope's instructions, or awed with an Italian guard, which was set upon them, under pretence of safety to their persons from affronts and injuries, that they had neither freedom to debate the points which were there propounded, nor liberty of suffrage to determine of them? Fifthly, Whether, the King calling the expelled party of the lords and commons, to some other place, and summoning all the rest also, to assemble there, may, not with greater reason, take unto themselves the name, the power, and reputation of a parliament, than the remaining party now at Westminster, consisting seldom of above an hundred commons, and sometimes not above three lords, have challenged and usurped the name of the two houses? Sixthly, and lastly,

31. *Q.* Hold, I must interrupt you there. The King, by writ, appoints his parliament to be held at Westminster; and, by a subsequent act, or statute, hath so bound himself, that he can neither dissolve nor adjourn it, without their consent; How can he then remove it to another place, than that which was first appointed?

A. No doubt, but he may do it with as good authority, as the two houses, or either of them, may adjourn to London, which you cannot choose but know hath been often done, since the beginning of this session. For though they sit not there as houses, but by turning either of the houses into a committee of the whole house: Yet this is but an

artifice to elude the writ, and act their business in a place of more advantage. The change is only in the name, but the power the same. Witness those votes and declarations which they have passed and published in the said committees, as binding and effectual to their ends and purposes, as any thing transacted in their several houses. Nor is the place so necessary and essential unto the being of parliament, but that the major part, with the King's consent, may change it, if they think it profitable for the commonwealth. Otherwise, we might say of parliaments, as once Victorinus did of christians, *Ergone parietes faciunt Christianum?* Is it the place, and not the persons, which do make a parliament? Or grant we, that of common course, the houses cannot regularly be adjourned to another place, but the adjournment must be made in the house itself; yet this is but a circumstance, or at most a ceremony, not of the substance of the work. And if that speech of Cæsar carried any weight (as all wise men conceive it doth) *Legem necessitati cedere oportere*, That even the strictest laws must yield to the necessities and uses of the commonwealth: No question, but so slight a circumstance, as that of place, must needs be thought in the present business, is to give way unto the peace and preservation of this wretched kingdom.

32. Q. These points I shall consider of, as you have advised; only, at present, I shall tell you, that I am very well resolved of the unlawfulness of this war against his Majesty, and think them guilty of rebellion, who either laid the plot thereof, or have since pursued it. Tell me now, for the close of all, what punishment the laws do inflict on those who are convicted of so capital and abhorred a crime?

A. You cannot be so ignorant of the laws of England, as not to know, That a convicted rebel is condemned to be hanged, drawn, and quartered, his belly to be ripped up, and his bowels to be taken out, whilst he is yet living, his head and limbs to be advanced on some eminent places, for a terrible example unto others, his blood attainted, his estate confiscate, his possessions forfeited. The civil laws go somewhat further, and execute them after death in their coats of arms, which are to be defaced and razed, in what place soever they are found: *Rebellium arma et insignia delenda sunt, ubicunque inveniuntur*, as Bartolus hath it. I end, as I began, with the book of Homilies; 'Turn over and read the histories of all nations, look over the chronicles of our own country, call to mind so many rebellions of old time, and some yet fresh in memory; you shall not find that God ever prospered any rebellion against the natural and lawful prince, but, contrariwise, that the rebels were overthrown and slain, and such, as were taken prisoners, dreadfully executed. Consider the great and noble houses of dukes, marquisses, earls, and other lords, whose names you shall read in our chronicles, now clear extinguished and gone, and seek out the causes of the decay, you shall find, that not lack of issue, and heirs male, hath so much wrought that decay, and waste of noble bloods and houses, as hath rebellion.'

'Who can stretch forth his hand against the Lord's anointed, and be guiltless?' 1 Sam. xxvi. 9.

‘ My son, fear thou the Lord and the King, and meddle not with them that are given to change; for their calamity shall rise suddenly, and who knoweth the ruin of them both ?’ Prov. xxiv. 21, 22.

ARTICLES AND ORDINANCES OF WAR, FOR THE PRESENT EXPEDITION OF THE ARMY OF THE KINGDOM OF SCOTLAND.

By the Committee of Estates, and his Excellency, the Lord General of the Army.

Edinburgh, printed by Evan Tyler, printer to the King's most excellent majesty,
1643. Quarto, containing sixteen pages.

THAT no man pretend ignorance, and that every one may know the duty of his place, that he may do it: The articles and ordinances following are to be published at the general rendezvous in every regiment apart, by the majors of the several regiments, and in the presence of all the officers. The same shall afterwards be openly read to every company of horse and foot, and at such times as shall be thought most convenient by the Lord General; and in like manner shall be made known to so many as join themselves to be professed soldiers in the army. For this end, every colonel and captain shall provide one of those books, that he may have it in readiness at all occasions, and every soldier shall solemnly swear the following oath:

‘ I, N. N. promise and swear to be true and faithful in this service, according to the heads sworn by me in the solemn league and covenant of the three kingdoms: To honour and obey my Lord General, and all my superior officers and commanders, and by all means to hinder their dishonour and hurt: To observe carefully all the articles of war and camp discipline; never to leave the defence of this cause, nor flee from my colours so long as I can follow them: To be ready to watching, warding, and working, so far as I have strength: To endure and suffer all distresses, and to fight manfully to the uttermost, as I shall answer to God, and as God shall help me.’

I.

Kirk discipline shall be exercised, and the sick cated for in every

regiment, by the particular eldership, or kirk session to be appointed, even as useth to be done in every parish in the time of peace: And that there may be an uniformity throughout the whole army, in all matters ecclesiastical, there shall be a general eldership, or common ecclesiastick judicatory, made up of all the ministers of the camp, and of one elder direct from every particular regiment, who shall also judge of appellations made unto them from the particular sessions or elderships.

II.

For deciding of all questions, debates, and quarrellings that shall arise betwixt captains and their soldiers, or any others of the army, and for the better observing of camp-discipline, two courts of justice, the one higher, and the other lower, are appointed, wherein all judges are sworn to do justice equally: The higher also to judge of appellations to be made from the lower court. And, if any man shall, by word or gesture, shew his contempt or misregard, or shall fall out in boasting or braving, while courts are sitting, he shall be punished by death. And both these judicatories, as well of the kirk matters, as of war, shall be subject to the general assembly, and committee of estates respective.

III.

Whosoever shall wilfully or carelesly absent himself from morning and evening prayers, or from preaching before and after noon on the Lord's day, or other extraordinary times appointed for the worship of God, when the sign is given by sound of trumpet or drum, he shall be censured and punished for his neglect or contempt, by penalty, imprisonment, or other punishment, as his fault deserveth.

After the warning given, there shall be no market, nor selling of any commodities whatsoever, till the prayers or preaching be ended, upon the pain of forfeiting the things so sold, and of the imprisoning of the offenders.

IV.

Common and ordinary swearing and cursing, open profaning of the Lord's day, wronging of his ministers, and other acts of that kind, shall not only be punished with loss of pay and imprisonment, but the transgressors shall make their publick repentance in the midst of the congregation; and, if they will not be reclaimed, they shall, with disgrace, be openly cashiered and discharged, as unworthy of the meanest place in the army.

V.

If any shall speak irreverently against the King's Majesty and his authority, or shall presume to offer violence to his Majesty's person, he shall be punished as a traitor. He that shall speak evil of the cause which we defend, or of the kingdoms, the parliaments, convention of the estates, or their committees in the defence thereof, or shall use any words to the dishonour of the Lord General, he shall be punished with death.

No man shall, at his own hand, without warrant of the committee, or of my Lord General, have, or keep intelligence with the enemy, by speech, letters, signs, or any other way, under the pain to be punished as a traitor. No man shall give over any strength, magazine, victuals, &c. Or make any such motion, but upon extremity, under the same pain. No man shall give supply, or furnish money, victuals, or any commodities to the enemy, upon pain of death.

Whosoever shall be found to do violence against the Lord General, his safeguard, or safe-conduct, shall die for it.

Whosoever shall be found guilty of carelessness and negligence in his service, although he be free of treachery and double-dealing, shall bear his own punishment.

VI.

All commanders and officers shall be careful, both by their authority and example, that all under their charge live in godliness, soberness, and righteousness; and, if they themselves shall be common swearers, cursers, drunkards, or any of them at any time shall come drunk to his guard, or by quarrelling, or any other way, shall commit any notable disorder in his quarter, loss of place shall be his punishment: And further, according to the sentence of the court of war.

The captains that shall be negligent in training their companies, or that shall be found to withhold from their soldiers any part of their pay, shall be discharged of their place, and further censured by the court of war.

No commander or officer shall conceal dangerous and discontented humours, inclined to mutinies, or grudging at the orders given them, but shall make them known to the prime leaders of the army, upon the pain to be accounted guilty of mutiny.

No commander or officer shall authorise, or wittingly permit any soldier to go forth to a singular combate, under pain of death; but, on the contrary, all officers shall be careful by all means to part quarrellings amongst soldiers, although they be of other regiments or companies, and shall have power to command them to prison, which, if the soldiers shall disobey, or resist, by using any weapon, they shall die for it.

No captain shall presume at his own hand, without warrant of the Lord General, to cashier, or give a pass to any inrolled soldier or officer, who hath appeared at the place of the general rendezvous; nor shall any commander, officer, or soldier, depart without a pass, or stay behind the time appointed him in his pass; and whosoever transgresseth, the one way or the other, shall be punished at the discretion of the court of war.

VII.

All soldiers shall remember, that it is their part to honour and obey their commanders, and therefore shall receive their commands with reverence, and shall make no noise, but be silent, when the officers are commanding or giving their directions, that they may be heard by all,

and the better obeyed ; he, that faileth against this, shall be imprisoned.

No soldier shall leave his captain, nor servant forsake his master, whether he abide in the army or not, but upon license granted, and in an orderly way.

Whosoever shall presume to discredit any of the great officers of the army, by writ, word, or any other way, and be not able to make it good, and whosoever shall lift his weapon against any of them, shall be punished by death ; and whosoever shall lift his hand against any of them, shall lose his hand.

No soldier, nor inferior officer, shall quarrel with, or offer any injury to his superior, nor refuse any duty commanded him, upon pain of cashiering, and to be further censured by the court of war. And, if any shall presume to strike his superior, he shall be punished with death. But if it shall happen, that any officer shall command any thing to the evident and known prejudice of the publick, then shall he, who is commanded, modestly refuse to obey, and presently give notice thereof to the Lord General.

If any man shall use any words or ways, tending to mutiny or sedition, whether for demanding his pay, or upon any other cause ; or, if any man shall be privy to such mutinous speeches or ways, and shall conceal them ; both shall be punished with death.

All must shew their valour against the enemy, and not by revenging private injuries, which, upon their complaints to their superior officers, shall be repaired to the full. And if any man presume to take his own satisfaction, or challenge a combate, he shall be imprisoned, and have his punishment decerned by the martial court.

The provost-marshal must not be resisted or hindered, in apprehending or putting delinquents in prison, and all officers must assist him to this end ; and if any man shall resist, or break prison, he shall be censured by the court of war.

VIII.

Murder is no less unlawful and intolerable in the time of war, than in time of peace, and is to be punished with death.

Whosoever shall be found to have forced any woman, whether he be commander or soldier, shall die for it without mercy. And whosoever shall be found guilty of adultery, or fornication, shall be no less severely censured and punished than in the time of peace.

If any common whores shall be found following the army, if they be married women, and run away from their husbands, they shall be put to death without mercy ; and, if they be unmarried, they shall be first marked by the hangman, and thereafter by him scourged out of the army.

Thieves and robbers shall be punished with the like severity. If any shall spoil, or take any part of their goods that die in the army, or are killed in service, he shall restore the double, and be further punished at discretion. It is provided, that all their goods be forth-coming, and be disposed of according to their testament and will, declared by word or writ before witnesses ; or, if they have made no testament, to their wives, children, or nearest kindred, according to the laws of the kingdom,

All shall live together as friends and brethren, abstaining from words of disgrace, contempt, reproach, giving of lyes, and all provocation by word or gesture: He that faileth shall be imprisoned, for the first fault, and, if he be incorrigible, he shall be with shame punished, and put out of the army.

IX.

All soldiers shall come to their colours, to watch, to be exercised, or to muster, with their own arms; and, if any soldier shall come with another man's arms, he shall be punished with rigour, and the lender shall lose his arms. All shall come also with compleat and tight arms, in a decent manner, otherwise to be severely punished.

If any man shall sell or give in pawn his horse, his arms, or any part of the ammunition committed to him, or any instruments, as spades, shovels, picks, used in the field, he shall for the first and second time be beaten through the quarter, and for the third time be punished as for other theft: And he that buyeth them, or taketh them to pawn, be he soldier or victualler, shall pay the double of the money, besides the want of the things bought or impawned, and be further punished at discretion.

Whosoever, in a debauched and lewd manner, by cards or dice, or by sloth and inexcusable neglect, shall lose his horse and arms, in whole, or in part, to the hinderance of the service; and whosoever shall wilfully spoil, or break his arms, or any instrument of war committed to him, by cutting down of trees, or any other way, he shall serve as a pioneer, till the loss be made up, and he furnished upon his own charges.

X.

No man on his march, or at his lodgings, within or without the country, upon whatsoever pretext, shall take, by violence, either horse, cattle, goods, money, or any other thing, less or more; but shall pay the usual prices for his meat and drink, or be furnished in an orderly way upon account, at the sight of the commissary, according to the order given by the committee, upon pain of death, without mercy.

If any man shall presume to pull down, or set on fire, any dwelling-house, though a cottage, or hew down any fruit-trees, or to waste or deface any part of the beauty of the country, he shall be punished most severely, according to the importance of the fault.

In marching, no man shall stay behind without leave: No man shall straggle from his troop or company: No man shall march out of his rank, and put others out of order, under all highest pains.

XI.

If any colonel of horse or foot shall keep back his soldiers from the appointed musters, or shall lend his soldiers to make a false muster; upon trial in a court-martial, he shall be punished as a deceiver. And if any muster-master shall use any false rolls, shall have any hand in false musters, or by connivance, or any other way be tried to be accessory to them, he shall suffer the like punishment.

XII.

No man shall presume to do the smallest injury to any that bring necessities to the leager, whether by stealing from them, or deceiving them, or by violence in taking their horse or goods, under the pain to be accounted and punished as enemies. No victuallers shall sell rotten victuals, upon pain of imprisonment and confiscation, and further as they shall be judged to deserve.

No soldier shall provide and sell victuals, unless he be authorised, nor shall any, that selleth victuals, keep in his tent or hutt any soldier at unseasonable hours, and forbidden times, under pain at discretion: Likewise, all the prices thereof shall be set down by the general commisser, and be given to the quarter-master of the several regiments.

XIII.

No man enrolled, professing himself, or pretending to be a soldier, shall abide in the army, unless he enter in some company; nor shall he, that hath entered, depart without license, upon pain of death. No man, having license, shall stay beyond the time appointed him, upon pain of loss of his pay during the time of his absence, and further punishment, at discretion. If any man, in a mutinous way, shew himself discontented with the quarter assigned him, he shall be punished as a mutineer. And, if any man shall stay out of his quarter, or go without shot of cannon, being intrenched, but one night, without leave of his superior officer, he shall be cashiered.

All that are absent from the watch, after the sign is given for the setting thereof, shall be severely punished. He that revealeth or falsifieth the watch-word given by the officer, within the trenches, or before the colours: He that is taken sleeping or drunk upon his watch: He that cometh off the watch before the time, every one of those shall be punished with death.

Whosoever shall assemble themselves together for taking mutinous counsel upon whatsoever pretext; they all, whether officers or soldiers, shall suffer death.

XIV.

Every man, when the alarm is given, shall repair speedily to his colours; no man shall forsake or flee from his colours.

No man, in the country, shall reset them that flee.

No man, in the battle, shall throw away his musket, pike, or bandelier, all under the pain of death.

Whatsoever regiment of horse or foot, having charged the enemy, shall draw back or flee, before they come to stroke of sword, shall answer for it before a council of war; and whosoever, officer or soldier, shall be found to be in the default, they shall be punished by death, or some shameful punishment, as the council of war shall find their cowardice to deserve.

XV.

If it shall come to pass, that the enemy shall force us to battle, and the Lord shall give us victory, none shall kill a yielding enemy, nor save

him that still pursueth, upon pain of death. Neither shall there be any ransoming of persons, spoiling, pillaging, parting of prey, or wasting or burning by fire, or disbanding from their charges, or officers, but as the Lord General shall give order upon the same pain of death.

XVI.

Every man's carriage shall be diligently observed, and he, according to his merit, rewarded or punished: And whatsoever officer or soldier shall take commanders, or the colours of the enemy, or in the siege of towns, shall first enter a breach, or scale the walls, and shall carry himself dutifully in his station, and doth his part valiantly, in skirmish or battle, shall, after the laudable example of the wisest and worthiest kingdoms and estates, have his honour and reward, according to his worth and deserving, whether hereafter we have peace or war.

Matters, that are clear by the light and law of nature, are presupposed: Things unnecessary are passed over in silence: And other things may be judged by the common customs and constitutions of war; or may, upon new emergents, be expressed afterward.

VINDEK ANGLICUS;

OR, THE

PERFECTIONS OF THE ENGLISH LANGUAGE

DEFENDED AND ASSERTED.

Printed Anno Dom. MDCXLIV. Quarto, containing six pages.

AMONGST all things requisite to noble actions, I never saw fear recounted, neither can I acknowledge it due from so excelling a creature as man to any but the eternal majesty of his Creator. Which consideration makes me adventure the hazard of many censures, resolving to account those slender scars, they shall be able to inflict upon me in this attempt, as characters of honour, decyphering to every ingenuous eye my love to my country. Whatever ensue, it will suffice me with content enough, if my honest endeavour serve as an incitement to some more able pen, to handle such a worthy, though almost neglected subject, as is the patronage of our truly excellent language.

I seek not to compass any such miracle as to convince the prepossessed judgments of foreigners, but shall think to retreat with victory enough, if I can but foil those unnatural domesticks, who degenerately do either with a certain fond affected idolatry adore the language of other nations, contemning their own; or else imperiously (as if censors in this

particular) do add, detect, mangle, and transform her, according to their weak fancies; vainly spoiling the best of vulgar languages. I will not stick to avouch it a language, though that very affirmation be a received paradox; nor will I blush to parallel it with the best of the minor languages.

And, to make it good, I will not deduce it, from Babel's confusion, for truly I believe it had a nobler beginning; neither will I traffick with Scaliger so far for it as Persia, or Chersonesus: Seeing I look upon such deductions, as learned fancies conducting little to prove our antiquity, neither needful; since we together with our language are extracted from the Germans, whose title is so glorious in that kind, that the rest of Europe gives place unto them. There are two main objections which seem to exclude us from the title of a language, our mutability and mixture, happy faults, and so universal, that I presume the best of our opponents are hardly free from: Though (it may be) not equally guilty of, for I confess our mutability to be more frequent, yet choicer than theirs; and our composed mixture consisting of greater variety, yet accompanied with more purity and felicity. The Italian is compounded of Latin, barbarous Greek, and Gothish: The French of Latin, Dutch; and the old Gallick; the Spanish of Latin, Gothish, and Morisco; Germany hath a taste of the Roman empire, and her bordering neighbours; if I be not deceived, in us you may discover all these with advantage; yet their purest expression fitly seated, and separated from their barbarisms, which by others are swallowed together with the rest. All of them are so mutable, that our frequency is excusable: Nay, mixture and mutability are things so natural to languages, that none but the Hebrew (if that) are free from them.

What is become of the ancient Latin, used in the reigns of Latium and Carmenta; or in the times of the Tarquinii, or Decemviri; nay, or under the very consuls or emperors, if books did not conserve it? The same question may we make unto the French, Spanish, the latter Italians, and Germans also: Though Becanus would make us believe wonders of their antiquity, immutability, and the hidden Cabala or mysteries contained in their language, like as, in the Hebrew, to which, by his account it is not inferior in age, he deriving it even from the days of Adam: which perfection, supposed true, we also might partly lay hold of, as a branch of the same tree. But,

— *Credat Judæus Apella, non ego :*

Let him that please, believe the same,
For I the fable quite disclaim.

For my part I believe, that what the learned physicians pronounce of human bodies, that they are by time often renewed, excretions, cold, heat, sickness, wounds, and sweat consuming the present, and giving place to new substance, may be said of languages, altered by every age; and as antiquity hath given place to us, so we shall yield to our posterity, not only in our lives and fortunes, but our language also.

By this time, I hope you will grant us the name of a language, and

stay us no more upon the simple term of speech; wherefore now will I direct myself against those admirers of foreign tongues, slighting their own, inferior to none of them in true excellency: None, I presume, will deny the perfection of a language to consist in facility, copiousness, sweetness, and significance; in all which, if I can make good that our language is equal, if not superior to the rest, I hope he must be very far transported with passion, and deeply factious, that will not assent unto me.

The great facility of our language is evident by a double demonstration, the ease wherewith others commit ours to memory, and the singular help which it affords us to the attaining of others. Our monosyllables, and the exemption we have from flexions (whereunto most others are incident) do greatly facilitate ours; which though some may reckon as a defect, I will esteem a blessing, accounting that multiplicity of cases, genders, moods and tenses (which puts us to school to learn our mother-tongue) the emblems of Babel's curse, and confusion. For our facility in learning others, let us renew but the old observation: Turn an ingenious Englishman into what country soever, and quickly you shall for the most part see him profit so well, that his speech will little or nothing differ from the genuine dialect, of what language soever is there used by the natives; no common privilege.

Our copiousness I need not use much art, to demonstrate, for, besides the treasures of the ancient Dutch, which we retain in our Saxon monosyllables, the choicer wits of our nation have fetched hither the very quintessence of those other languages, and by their excellent industry so happily improved our English soil, that I dare safely affirm many of those foreign scions bear better, and more plentifully than in their former climate. The Latin and French are defective in the expression of many words, which we utter with ease, and they have none, whereunto our ability extendeth not; our abundance ends not here. We have court and country English, northern and southern dialects, which differ not only in pronunciation, but also in words and terms. There is no language can deliver a matter with more variety than ours, plainly by synonyma's, or by circumlocution with metaphors; which any mean judgment will instance with sundry examples. We almost equalise the Greeks, and even exceed the Latins in a peculiar grace of compounding many words together, which is one of the greatest beauties can be in a language.

Our significancy and abilities in expression, in the several parts both letters, words, and phrases, is very eminent; in number and use of letters we exceed both Greeks, Latins, French, and Italians: Our words are incomparably significant, insomuch that many of them have four or five several significations. Our interjections are so fit for the expression of our passions, that they seem to be derived from the very nature of our several affections; when many of those of other tongues are almost ridiculous. What variety doth any other nation brag of, that we have not almost with equal felicity made our own? The Italian courtier, the French Salust, the Spanish Guzman, the Latin Naso, and the Greek Polybius; who would read that matchless essay of Mr. Sandys, upon the *Æneids*, and, would not think it writ so by the peerless Maro

himself? How properly hath the renowned Lord Bacon taught us to speak the terms of art, in our own language: We judged it impossible, till we saw it performed; which difficulty when I see overcome, makes me despair of nothing. What matchless and incomparable pieces of eloquence hath this time of civil war afforded? Came there ever from a prince's pen such exact pieces as are his Majesty's declarations? Were there ever speeches uttered in better language, or sweeter expressions, than those of the noble and learned Lord Digby, and some other worthy personages? Did ever nation expose choicer, more honourable or eloquent discourses, than ours hath done in our sovereign's behalf, since these unhappy divisions? There is no sort of verse either ancient, or modern, which we are not able to equal by imitation; we have our English Virgil, Ovid, Seneca, Lucan, Juvenal, Martial, and Catullus: in the Earl of Surry, Daniel, Johnson, Spencer, Don, Shakespear, and the glory of the rest, Sandys and Sydney. We have eminent advantages of all other vulgar languages in poetry. The Italian is so full of vowels, that he is ever cumbered with elisions; the Dutch with consonants, that his verse is sick of the sciatica; the French cannot afford you four words, whose accents are in the antepenultima, and therefore unfit for dactyls, which the accent and metre do so naturally square with us, that in both we deservedly bear the prize from all the rest. The Spanish and Italian want our Cæsura in the midst of the verses; the Italian cannot afford you a masculine rhyme: Nor, the French make metre of the antepenultima, and yet there is not any of the three syllables, whereunto our ability extendeth not.

The sweetness of our language I doubt not to compare with any vulgar whatsoever; let us put it to the trial and compare it with others. The Italian I confess is an excellent, princely, and pleasant language, upon which the best judgments look with great respect; yet it wants sinews, and passes as a silent water. The French are truly delicate, but too affected and effeminate. The Spanish majestical, but terrible and boisterous. The Dutch manly, but very harsh. Now we, in borrowing from each of them, give the strength of consonants to the Italian, the full sound of syllables to the French, the variety of termination with milder accents to the Spaniard, and dissolve with more facility the Dutch vowels; like bees, gathering their perfections, leave their dross to themselves: So, when substance combineth with delight, plenty with delicacy, beauty with majesty, and expedition with gravity, what can want to the perfection of such a language?

— *Omitte mirari beatæ
Fœdum, et opes, strepitumque Romæ.*

Admire not then the smoky fume,
The wealth and train of mighty Rome.

For one of our great wits (who understood most languages in Europe) affirms, 'That in uttering sweetly and properly the conceit of the mind, which is the end of speech, we parallel any other tongue in the world;

and that our language is such, that foreigners, looking upon it now, may deservedly say,

Ipsa, suis pollens opibus, nihil indiga nostri.

She now abounds in proper store,
And stands in need of us no more.

Certainly the mixture of our extractions from others, joined with our own monosyllables, make up such a perfect harmony; that so you may frame your speech majestic, pleasant, delicate, or manly according to your subject, and exactly represent, in ours, whatsoever grace any other language carrieth. Yet let none think that I stand in any competition with the sacred Hebrew, learned Greeks, or fluent Latins, or claim a superiority over the rest; my ambition extends not so high, though you see I want not pretence for it. Let us look upon our own as a language, equal to the best of vulgar; and, for my own part,

Let others retain their ancient dignity and esteem.

Upon fair terms I have ended the controversy, and must now begin a fiercer combat against a second enemy.

Moths and cankers, who, with their shallow inventions and silly fancies, must still be engrafting new coined words in our English nursery, without either art or judgment. I seek not to discredit their worthy and immortal labours, who, with unmatchable industry, have fetched hither the best inhabitants of other climates, and made them denizens in our colonies: These who with a skilful felicity have bought, brought, or borrowed the richest ornaments of other languages, to make ours abound with plenty and variety; but those I disclaim, who, when the work is excellently performed already, must still be fingering; and, when the quintessence and life of other tongues are ours already, must now traffick for the dregs, to the end they may be said to have done somewhat.

Languages, as all other mortal things, have their infancy and age; their wax and wane; the states where they are used, are the load-stars:

Ad cujus numen motumque moveri.

At whose motion or command,
They climb, decline, or make a stand.

With their prosperity and adversity they for the most part rise and fall, which the best of languages can largely testify, who, had they not, even miraculously by providence, been hitherto conserved in books, had long since perished, and been buried in the dust of oblivion; they being now as strange to their own birth-places, as to us. Our language hath long been in the ascendent together with our monarchy, and at last, by excellent artists, is even brought to the height, which already

our over diligent and intruding spirits, with their botching, seek to bring to the wane.

God grant it prognosticate no greater ruin, it is an evil symptom of further detriment.

Notwithstanding, I hope it is no inevitable destiny, but that our language and empire shall yet enjoy a far long noon, and not so soon post towards the west; let these busy creatures be checked and restrained from such presuming liberties, and no doubt but it will be a sovereign antidote, to maintain the splendor of the English language in the meridian of purity a long time, which these active persons stain and obscure.

How ridiculous, if well considered, is the merchandise they seek to sell for current.

Let me afford you a few examples, and I am deceived if they will not move both your anger and laughter; read and censure. Adpugne, Algae, Adstupiate, Daffe, Defust, Depex, Brochity, Bulbitate, Extorque, Ebriolate, Caprious, Contrast, Catillate, Fraxate, Froyce, Imporcate, Incenabe, Incasse, Gingreate, Glabretall, Halitate, Ligation, Lurcate, Kemand, Mephitick, Mirminodized, Obsalutate, Orbatation, Nixious, Naustible, Plumative, Prodigity, Puellation, Raption, Rerest, Rumatize, Sudate, Solestick, Sracone, Subgrund, Tridiculate, Tristful, Wadshaw, Xantical, Yexate, Vitulate, Undosous, Vambrash, Zoografe.

A thousand other so unnatural phrases, that they cause a loathing in a curious and judicious eye. These and such as these, that set up mints for such base coin, would I have the arts to persecute and not suffer them to mix their counterfeit stuff amongst our purer ingredients, so to canonise them for current. Our language is copious enough already, we need traffick no more to enrich it; at least, not so oft, for yet I will not deny, but some pearl or other may be left behind uncheapened by our former factors, which is worth the buying, yet would I have it naturalised here with judgment and authority.

Let us improve what grain we have already, and we shall find it full as much as is needful, or at least as much as our soil is well able to bear. Let us not therefore, with a base and busy avarice, abuse our language with the dregs of others, being possessed with the perfections of them all already, for by enfranchising, refining, and implanting strange, old, and new words, it is happily become even the prince of all the vulgar; from the dignity of which nothing hath so much detracted, as our own vain affecting, admiring, and applauding foreign tongues above measure: Which makes strangers judge our own contemptible. Our separation from the continent world doth make our language insular, which is one chief reason of its want of esteem amongst foreigners, they scarce having use of it; few of them frequenting our climate, and we swarming into theirs. Though some of the wisest of them now acknowledge the worth of it, and with envy look upon the perfection of our language, as well as upon the excellency of our country.

Though in this conclusion I here strike sail, and vail to the learned languages; let that not detract from the worth of ours, which is parallel, if not superior to the best remaining; it is as courteous as the

Spanish, and court-like as the French, as amorous as the Italian, and as fluent as any; wherefore think me not over-weighted with affection, if I believe the most renowned of other nations, to have laid the very elixir of their tongue's perfection in trust with our island.

A NEST OF PERFIDIOUS VIPERS;

OR,

THE SECOND PART OF THE PARLIAMENT'S CALENDAR OF BLACK SAINTS.

Pictured forth in a second arraignment, or gaol-delivery of Malignants, Jesuits, Arminians, and Cabinet-counsellors, being the fatal engineers, plotters, and contrivers of treasons against the parliament, our religion, laws, and lives. Condemned according to their several crimes.

London, printed according to order, for G. Bishop, September 21, 1644. Quarto, containing eight pages.

WELL, since we must go to work again, and fill up the second part of our calendar with black saints; we first present you with a nest of the vilest vipers that ever Africk, or Nile, did produce; a generation so cursed, that they have rent out the bowels of their own natural mothers, and been the abhorred murderers of their fathers; such as have made women husbandless, mothers childless, and two flourishing kingdoms almost fruitless, whose poisonous breaths have infected the purer air, mixing the clouds with cries and groans; made black that glorious diadem, that should impale the sacred brow of Majesty, rendering the donour glorious to God and man; whose baneful stings have turned the crystal veins of earth to springs of blood, and dyed the verdant grass in crimson gore, that used to be enamelled with fragrant flowers: Serpents that have out-done old Satan for plots, and treacheries against our religion, laws, and innocent lives: Of these there be both male and female, of divers sorts and kinds, as some basilisks, some flying dragons, some cockatrices, some fiery serpents, some curled winding snakes, some dangerous adders.

And first, for our basilisks or bishops, whose eyes were dangerous, and as full of pride, as their hearts of deadly poison in the cup of the Babylonish harlot: These sons of pride and vain-glory could at their pleasure look a poor protestant dead, through the pride and feigned veil of seeming humility, but indeed hypocrisy, ambition, and the

cruellest tyranny that oppressors could devise to enslave, and disnoble a flourishing kingdom and a free-born people. These had their residence in the greatest courts of justice, as the star-chamber, the council-table, and high-commission, &c. And so made a monopoly of earth, as before they had done of heaven, in forgiving sins, and hell too, in taking fees for the most abhorred villainies, as adultery, fornication, and the rest of the seven, under a glorious pretence of repairing cathedrals, and setting up organ-pipes and images: these serpents carried deadly stings in their long black tails, borne up by a company of proctors, apparitors, and informers, Duck, Lamb, and the rest, as foul a nest of the ugliest vipers as ever nature did produce: these have stung to death many godly ministers, and other religious protestants and professors of the truth of the gospel; some imprisoned, some whipped, some hanged, some seared with hot irons, others pilloried, having their ears cut off, because they would not endure popery to be planted in our churches: these fat bulls, or dumb dogs, feed upon their flocks, when they should have fed their flocks, and so sacrificed to their godless bellies, when many a poor member of Christ lay starving at their gates, as near pined for outward provision for their bodies, as their more languishing souls were for spiritual instructions.

The first, that we intend to saint in our second calendar, is a foul bird of this nest called Wren. Cryer, call Wren to the bar, a right Basilisk, that looked to death near threescore and odd ministers in one visit, or yearly perambulation over his diocese at Ipswich; little Pope Regulus that reigned like a tyrant, and, though a small bird, yet sung a scurvy tune, counter tenor, oh base, and, instead of treble, sung terrible: Make his mittimus, let him have time to consider of the lawfulness of the oath *ex officio* in Bridewell: Let him not want castigation, and see that none of the puritan faction come near him, or relieve him, 'tis the only way to make him conformable to us. Or, Oh base, let him kiss Newgate, lie in the common gaol, and be sure to have chains enough: Make his Mittimus to the gate-house, or obtain the favour of Long's powdering-tub, which shall powder him soundly, long enough before he come forth: these were the base and terrible tunes of this right reverend Father in God (the God of this world I mean.) Surely his predecessors, the Apostles, that he so much boasteth of, exhort him rather to admonish lovingly, and instruct kindly, than punish so cruelly. I never read that they, in their greatest passion, committed or imprisoned (yet patiently endured both themselves) those that would not conform themselves to their truths: yet you can do all this to those, that will not conform themselves to your lyes. This Wren was so holy, that, if a stranger should chance to spit on the sanctified pavement of his chapel, a scholar must take his handkerchief and wipe it up, and duck three times to the altar, and yet, for all this, was so profane and unsanctified in his heart (that should have been more holy than the chapel, or altar, or pavement) that he kept another man's wife in Cambridge, and, though a Wren, yet in that proved himself a very cock-sparrow. This methinks should be a great spot in his lawn sleeves, and put him in mind of a brother of his in Ireland, that was hanged for such a holy business; Finch of Christ-church was another bird, of the

same feather, and might well be thy chaplain, that had been so apt a scholar under thee, in the school of lust: those at Ipswich, that devised the engine to take thee in the little house over the water, pull thee into a litter, and carry thee into New England, would have done Old England a great courtesy, that is fain to feed so foul a bird in a cage all this while: If we should have bishops to reign over us, as 'tis unlikely we should, thy crimes are so great and enormous, that thou must expect a halter rather than a mitre; therefore, being undeserving and incapable of a bishoprick, expect to take new orders, and commence at Tyburn. Take him, Derrick.

Call Mountague to the bar, a Roman Basilisk, whose head fitted the windmill better than the mitre, and mounted up Arminianism till he had endangered his lungs again, and made his voice more hoarse, than his reverend kinswoman, with crying new Wainfleet oysters. King James, being as wise as religious, seeing the spreading infectious issue of thy quill, quashed it in the egg, knowing that heresy, once hatched, was soon brooded, and would quickly grow into numerous swarms (being always frightful enough) both disallowed, condemned, and forbid thy heretical books the press, and would not let thy poisonous wings over-cloud the bright though humble beams of truth, issuing from the pure sun of the gospel: though like an impudent magpy, with all thy chattering, thou couldest not blind that bright-eyed eagle, that could out-look the sun, apparelled with his brightest beams and glory; yet still wouldest strive with that old serpent, whose pride could not prevail with God, to extend his malice by tempting his son. 'All this will I give thee,' &c. The kingdom of Spain, the empire of Germany, France and all, all shall be thine, if thou wilt but worship me, turn Catholick, and, like an obedient son, destroy thy puritan subjects; 'tis no matter how, I can forgive thee, or, to make thy way sure, make use of protestations, call heaven and earth, and hell to witness, all the mental reservations, or equivocations, thou can'st devise, or we devise for thee, so that the Catholick cause go forward, 'tis good enough. Well spoke Mountague, thou shalt have a miter, or a cardinal's cap in time; a three-cornered cap for thee and the rest of thy faction. Take him, Derrick.

Cryer, call White to the bar, a dangerous Basilisk, of the same nest, and one that loved any thing better than a parliament; one whose poisonous breath infected the sanctity of the sabbath, maintained the morality of the fourth commandment, and writ whole volumes in defence of Arch Arminians, and defended their heresy at a packed conference; this viper, by the instructions of the Arch-Basilisk of Canterbury, would suffer none to be preferred, but those that would prefer and favour those dangerous tenents, by them urged and maintained: Then Cosens, Regulus, Corbet, Pocklington, Heylyn, and a little more of sowers, planters, and waterers of the seeds of superstition and popery, were sent out to infect the kingdom of England, which took admirably, and quickly brought forth an excellent crop of popery: Then long-tailed clokes were in fashion, the Jesuits garb right, worn by a company of priests, the merriest fellows, boon lads: Let the devil preach, quoth one, give me the other quart of sack: Lie there divinity,

says another to his gown. Come, my girl, let me embrace thy lovely corps; dost think I am good for nothing but to preach, &c.? These rare divines would preach against spiritual whoredom, yet be arrant monkies at the other; that was, when their precise parishioners, termed round heads, would seek out for some spiritual comforts, because they could have none at home, sometimes not in a month together, yet must be excommunicated, derided by uncivil names, and termed puritans, round-heads, spiritual whoremongers, &c. Was not this excellent sport indeed? And surely, such priests, such people, though, God be blessed, not all. These Basilisks could suffer the sabbath to be profaned, by drunkards, players, wakes, morrice-dancers, May-poles, and what not, and by authority too; much more might be spoken on this subject; but enough of these vipers, and too much too: I have others as bad to shew you, and will leave these to the justice and prudence of the parliament. Take them, Derrick.

The next we present you, are a crew of flying dragons, that have many wings, right wings, and left wings, and double faces, that can soon face about, be here and there, and every where to do mischief, plunder, ravish, fire, and the like.

Cryer. Call Prince Rupert to the bar: Thou hast been a right flying dragon prince, and hast flew strangely up and down in this island, and hast stung to death those that formerly preserved thy life. O ungrateful viper, far worse than that in the fable! Dost not thou think to be sainted for this? Yes, thou shalt in this black calendar: the commons of England will remember thee, thou flap-dragon, thou butter-box; whose impieties draw, like the powerful load-stone. Speedy vengeance on thy cursed head? How many towns hast thou fired? How many virgins hast thou deflowered? How many godly ministers hast thou killed? How many hast thou plundered from his Majesty's best and most obedient subjects? How many innocents hast thou slain? How many cursed oaths hast thou belched out against God and his people? How hast thou surfeited with the good things of our land, and undone whole counties? Why camest thou hither? Could not thy uncle's evil counsel infect our kingdom enough, unless thou hadst a share in it? Thou hadst a dukedom already, and wouldest thou have a kingdom too? It is that thou aimest at? King of Ireland, or King of his Majesty's best subjects the Irish rebels, the papists, jesuits, and others: Yes thou shalt have a kingdom, and pimps instead of preachers, wenches for thy privy-counsellors, a black pot for thy scepter, or a white pot for thy crown; and shalt make laws accordingly, wholesome laws I'll warrant you. Thou hast had but scurvy luck lately, I cannot pity thee, at Marston Moor, where thy highness was soundly cudgelled into the bean-field, and hadst time to write the elegy of thy dog in direful tears, curses, and execrations; Prince, have a care, thou mayest be next, ingratitude never speeds better, and so farewell, and be—Take him, Garret.

Call Prince Maurice to the bar, a dancing dragon, that hath danced fairly after the lewd measures of his ungodly brother, in firing houses, and killing of godly ministers, deflowering of virgins, murdering his Majesty's best subjects, and plundering and undoing the kingdom:

these jiggs are now become court dances; though 'tis an unusual thing to use jiggs and dances in tragedies, yet now 'tis the court-fashion, which makes Inigo Jones fret himself into a consumption, and wish thy highness might dance in a halter, or dance thy head from thy shoulders, that hast thus altered the property, and turned the scene into sin, and such horrid sin, that it can scarce be paralleled in any story, except in the highest story. Take him, Garret.

Call Marquis Hartford to the bar, one that has more wit, than to fight for the protestant religion: Does not Endymion Porter fight for the protestant religion? Does not Digby fight for the protestant religion? Yes, papists do fight for the protestant religion, the privileges of parliament, and the liberty of the subject; they fight for all these, as our's, to fight them away from us, as they fight away our estates, or as the thief fights for the true man's purse. Did the cabinet-council invent this fighting? And would not they have King Charles fight thus? Does not Brainsford fight thus? Cottington, Hopton, Hurrey, and the rest fight thus? and Legge and Lumford fight thus, with Capel, Hastings, and all that godless crew? And this is the war these men maintain, withal, to preserve their persons and estates from the justice of the law, when themselves are above religion, or the law either.

Call the Duke of Richmond to the bar. His father was truly noble, and loved parliaments, though he was unfortunately stung to death by one of these poisonous vipers, because he did so; but the son loves the murderers the better, and hates the parliament he should love, and hath in exchange a living lady for a dead father. Take him, Greg.

Call Littleton to the bar, lord keeper. His predecessor, Finch, paid a good large sum for the place, and had more reason to run away with the great seal, than Littleton, that paid nothing for it: little honesty in that, to deal so dishonestly, and fly from them that had dealt so well with him; little justice too, to steal away and divorce that spouse, that had been so long married to the parliament, and hath put that great council to no little trouble in making a new one; therefore expect as little mercy from me. Take him, Derrick.

Lindsey, stand to the bar. Thou understandest already what it is to fight against the true protestant religion, the parliament's privileges, and the subject's rights, under a feigned pretence of maintaining them; Edgehill put the period to thy days; and, though thou wert valiant, yet, in that cause, thy valour was but a crime, a valiant crime; and so is the valour of all rebels valiant crimes; but thou hast thy reward.

Huntington, hold up thy hand. Thou art one of these valiants too, valiant in a bad cause, that differ much from David's valiants; there be many such valiants, that are valiant to do mischief, valiant to undo your country, though you undo yourselves. A list of these valiants followeth, viz. The Earls of Cumberland, Bath, Southampton, Dorset, Northampton, Devonshire, Bristol, Berkshire, Monmouth, Rivers, Newcastle, Dover, Newport, Caernarvon, Mowbray, and Montravers; Lords Rich, Newark, Paget, Chandois, Faulconbridge, Paulet, Lovelace, Saville, Mohun, Dunsmore, Seymour, Hopton, Capell, Jermyn, Faulkland, Banks, Nicolas, Gardiner, comptroller, chancellor of the

exchequer, &c. enough of all conscience, besides Irish rebels. These all fight valiantly for the protestant religion, as it stood established in the reign of Queen Elisabeth's sister.

I trust, every true protestant sees this, and acknowledgeth parliaments the finest expounders of the law, and judges of offenders, either to acquit, or condemn them; and will, so soon as it shall please God to deliver up these vipers into their hands, pull out their infectious stings, and deliver them up to the justice of the law, that thus vilely have betrayed religion, and law both.

Call the cockatrice to the bar, the old French madam: nay, and the young one too, little inferior. Who went with Jermyn into Holland, because England was so unworthy of her, as Digby says? Who went to the brokers with the jewels of the crown, and the cup-board of gold plate? Who bought pocket-pistols, barrels of powder, and many such pretty toys to destroy the protestants? Was it Queen Mary? The very same who is gone into France to do the like? Queen Mary, a happy instrument to destroy the protestants! There is another cockatrice, I forget her name, a kind of harlotry belonging to the cabinet-council, one that married the fox-headed Irish rebel, and was once Duchess of Buckingham; a prime piece of mortality, and worthy sainting in our calendar; her faults would make a whole volume. Take her, Devil.

The next are curled winding snakes, court-parasites, and corrupt judges, that could make his Majesty believe any thing, and screw and wind themselves, as they do the law, into his Majesty's favour, and tell him fine tales to little purpose: Such were Noy, Windebank, Hyde, Mallet, Bartlet, &c. a brood of dangerous vipers, with baneful stings, to poor England's cost.

The last are dangerous adders; and those are the commissioners of Array, that would arm the subjects to kill themselves, or those whom themselves have chosen and intrusted with their religion, laws, and hereditary rights, and the King acknowledged to be his great and faithful council: Surely, they ought then to defend his royal person, as well as their own rights, or their own persons, being all in apparent danger. The law allows rather to kill, than to be killed; David was not restrained to defend himself against Saul, much less against his evil counsel; if Saul would obstinately thrust himself into danger amongst his evil counsellors, and wilfully perish, David is guiltless. David took up arms in his own defence, the parliament and kingdom in defence of the true religion, and to rescue the King from traitors and rebels, not against the King: God forbid. If we make choice of men, and trust them with our rights (the King acknowledging them his great council) it questionless behoves them, according to that trust, to defend his person and posterity equal with their own rights. With what unwearied labours, even to the loss of lives and estates, the parliament hath discharged this trust, no eye can be so blind, but must needs see and confess, with a thankful heart, that they have done as much, as in them lay, to redeem his Majesty from evil counsellors, to preserve the true and pure gospel, and to rescue our laws and hereditary rights

from the violence of malignants, delinquents, papists, and others; and ingenuously confess, that we stand justly bound by conscience, religion, and law, to assist them with our estates and lives; which with all willingness let us resolve to do, and rather chuse to die like men, than live like slaves.

TWO ORDINANCES

OF THE

LORDS AND COMMONS ASSEMBLED IN PARLIAMENT,

For the speedy demolishing of all organs, images, and all manner of superstitious monuments in all cathedral or parish churches and chapels, throughout the kingdom of England and dominion of Wales, the better to accomplish the blessed reformation so happily begun, and to remove all offences and things illegal in the worship of God.

Die Jovis, 9 Maii, 1644.

Ordered by the Lords in parliament assembled, that these ordinances shall be forthwith printed and published,

Jo. BROWN, Cler. Parliamentorum.

London, Printed for John Wright in the Old-Baily, May 11, 1644. Quarto, containing eight pages.

Die Jovis, 9 Maii, 1644.

An ordinance for the further demolishing of monuments of idolatry and superstition.

THE lords and commons assembled in parliament, the better to accomplish the blessed reformation so happily begun, and to remove all offences and things illegal in the worship of God, do ordain, that all representations of any of the persons of the trinity, or of any angel or saint, in or about any cathedral, collegiate, or parish-church, or chapel, or in any open place within this kingdom, shall be taken away, defaced, and utterly demolished, and that no such shall hereafter be set up. And that the chancel-ground of every such church or chapel, raised for any altar or communion-table to stand upon, shall be laid down and levelled. And that no copes, surplices, superstitious vestments, hoods, or roodlofts, or holy-water fonts, shall be, or be any more used, in any church or chapel within this realm; and that no

cross, crucifix, picture, or representation of any of the persons of the trinity, or of any angel or saint, shall be or continue upon any plate, or other thing, used or to be used in or about the worship of God; and that all organs, and the frames or cases wherein they stand in all churches and chapels aforesaid, shall be taken away, and utterly defaced, and none other hereafter set up in their places: And that all copes, surplices, superstitious vestments, roods, and fonts aforesaid, be likewise utterly defaced; whereunto all persons within this kingdom, whom it may concern, are hereby required, at their peril, to yield due obedience.

Provided that this ordinance, or any thing therein contained, shall not extend to any image, picture, or coat of arms, in glass, stone, or otherwise, in any church, chapel, church-yard, or place of publick prayer, as aforesaid, set up or graven only for a monument of any King, prince, or nobleman, or other dead person, which hath not been commonly reputed or taken for a saint; but that all such images, pictures, and coats of arms, may stand and continue in like manner and form as if this ordinance had never been made; and the several churchwardens, or overseers of the poor, of the said several churches and chapels respectively, and the next adjoining justice of the peace, or deputy lieutenant, are hereby required to see the due performance hereof; and that the repairing of the walls, windows, grounds, and other places, which shall be broken or impaired by any the means aforesaid, shall be done and performed by such person and persons, as are for the same end and purpose nominated and appointed by a former ordinance of parliament, of the eight-and-twentieth of August, 1643, For the utter demolishing of monuments of superstition or idolatry.

Die Lunæ, 28 Augusti, 1643.

An ordinance of the Lords and Commons assembled in parliament, for the utter demolishing, removing, and taking away of all monuments of superstition and idolatry.

THE lords and commons in parliament, taking into their serious considerations how well-pleasing it is to God, and conducive to the blessed reformation in his worship, so much desired by both houses of parliament, that all monuments of superstition or idolatry should be removed and demolished, do ordain, That, in all and every the churches and chapels, as well cathedral and collegiate, as other churches and chapels, and other usual places of publick prayer, authorised by law within this realm of England and dominion of Wales, all altars and tables of stone shall, before the first day of November, in the year of our Lord God 1643, be utterly taken away and demolished; and also all communion-tables removed from the east-end of every such church, chapel, or place of publick prayer, and chancel of the same, and shall be placed in some other fit and convenient place or places of the body of the said church, chapel, or other such place of publick prayer, or of the body

of the chancel of every such church, chapel, or other such place of publick prayer: And that all rails whatsoever, which have been erected near to, before, or about any altar, or communion-table, in any of the said churches or chapels, or other such place of publick prayer as aforesaid, shall, before the said day, be likewise taken away; and the chancel-ground of every such church or chapel, or other place of publick prayer, which hath been, within twenty years last past, raised for any altar or communion-table to stand upon, shall, before the said day, be laid down and levelled, as the same was before the said twenty years last past: And that all tapers, candlesticks, and basons shall, before the said day, be removed and taken away from the communion-table, in every such church, chapel, or other place of publick prayer; and neither the same nor any such like shall be used about the same, at any time after the said day: And that all crucifixes, crosses, and all images and pictures of any one or more persons of the trinity, or of the virgin Mary, and all other images and pictures of saints, or superstitious inscriptions in or upon all and every the said churches or chapels, or other places of publick prayer; church-yards, or other places to any the said churches and chapels, or other place of publick prayer belonging, or in any other open place, shall, before the said first day of November, be taken away and defaced, and none of the like hereafter permitted in any such church, or chapel, or other places, as aforesaid.

And be it further ordained, That all and every such removal of the said altars, tables of stone, communion-tables, tapers, candlesticks and basons, crucifixes and crosses, images and pictures, as aforesaid, taking away of the said rails, and levelling of the said grounds shall be done and performed; and the walls, windows, grounds, and other places, which shall be broken, impaired, or altered by any the means aforesaid, shall be made up and repaired in good and sufficient manner, in all and every of the said parish-churches or chapels, or usual places of publick prayer belonging to any parish, by the church-warden or church-wardens of every such parish, for the time being, respectively; and, in any cathedral or collegiate church or chapel, by the dean or sub-dean, or other chief officer of every such church or chapel, for the time being; and, in the universities, by the several heads and governors of every college or hall respectively; and, in the several inns of court, by the benchers and readers of every of the same respectively, at the cost and charges of all and every such person or persons, body politick or corporate, or parishioners of every parish respectively, to whom the charge of the repair of any such church, chapel, chancel, or place of publick prayer, or other part of such church or chapel, or place of publick prayer, doth or shall belong. And, in case default be made in any of the premisses, by any of the person or persons thereunto appointed by this ordinance, from and after the said first day of November, which shall be in the year of our Lord God 1643, that then every such person or persons, so making default, shall for every such neglect or default, by the space of twenty days, forfeit and lose forty shillings, to the use of the poor of the said parish, wherein such default shall be made: Or, if it be out of any parish, then to the use of the poor of such parish,

whose church is or shall be nearest to the church, or chapel, or other place of publick prayer, where such default shall be made. And, if default shall be made after the first day of December, which shall be in the said year 1643, than any one justice of the peace of the county, city, or town, where such default shall be made, upon information thereof to him to be given, shall cause or procure the premisses to be performed, according to the tenour of this ordinance, at the cost and charges of such person or persons, bodies politick or corporate, or inhabitants in every parish, who are appointed by this ordinance to bear the same.

Provided that this ordinance, or any thing therein contained, shall not extend to any image, picture, or coat of arms in glass, stone, or otherwise, in any church, chapel, church-yard, or place of publick prayer, as aforesaid, set up or graven only for a monument of any king, prince, or nobleman, or other dead person, which hath not been commonly reputed or taken for a saint; but that all such images, pictures, and coats of arms may stand and continue in like manner and form, as if this ordinance had never been made.

JOH. BROWN,
Cler. Parliamentorum.

ENGLAND'S TEARS,

For the present wars, which, for the nature of the quarrel, the quality of strength, the diversity of battles, skirmishes, encounters, and sieges, happened in so short a compass of time, cannot be paralleled by any precedent age.

*Hei mihi, quàm miserè rugit Leo, Lilia languent,
Heu, Lyra, quàm mæstos pulsat Hiberna sonos.*

Printed at London, according to order, by Richard Heron, 1644. Quarto, containing twenty-two pages.

To my Imperial Chamber, the City of London.

Renowned City,

IF any showers of adversity fall on me, some of the drops thereof must needs dash on thy streets. It is not a shower, but a furious storm, that pours upon me now, accompanied with thunder, and unusual fulgurations. The fatal cloud, wherein this storm lay long ingendering, though, when it began to condense first, it appeared but as big as a hand, yet by degrees it hath spread to such a vast expansion,

that it hath diffused itself through all my regions, and obscured that fair face of heaven, which was used to shine upon me; if it last long, it is impossible but we both should perish. Peace may, but war must destroy. I see poverty posting a-pace, and ready to knock at thy gates; that gastly harbinger of death, the pestilence, appears already within and without thy walls; and methinks I spy meagre-faced famine afar off, making towards thee; nor can all thy elaborate circumvallations, and trenches, or any art of enginery, keep him out of thy line of communication, if this hold. Therefore, my dear daughter, think, oh think upon some timely prevention, it is the counsel, and request of

Thy most afflicted mother,

ENGLAND.

OH that my head did flow with waters! Oh that my eyes were limbecks, through which might distil drops and essences of blood! Oh that I could melt away, and dissolve into tears, more brackish than those seas that surround me! Oh that I could weep myself blind, to prevent the seeing of those mountains of mischiefs, that are like to fall down upon me! Oh that I could rend the rocks that gird me about, and with my ejaculations tear and dissipate those black dismal clouds, which hang over me! Oh that I could cleave the air with my cries, that they might find passage up to heaven, and fetch down the moon, that watry planet, to weep and wail with me, or make old Saturn descend from his sphere, to partake with me in my melancholy, and bring along with him the mournful Pleiades, to make a full concert, and sing Lachrymæ with me, for that woeful taking, that desperate case, that most deplorable condition, I have plunged myself into unawares, by this unnatural self-destroying war, by this intricate odd kind of enigmatical war, wherein both parties are so intangled, like a skein of ravelled silk, that they know not how to unwind and untwist themselves, but by violent and destructive ways, by tearing my intrails, by exhausting my vital spirits, by breaking my very heart-strings to cure the malady! Oh I am deadly sick, and as that famous Chancellor of France spoke of the civil wars of his country, that France was sick of an unknown disease; so, if Hippocrates himself were living, he could not be able to tell the true symptoms of mine, though he felt my pulse, and made inspection into my water, never so exactly; only in the general, he may discover a strange kind of infection, that hath seized upon the affections of my people; but for the disease itself, it will gravel him to judge of it; nor can there be any prediction made of it, it is so sharp, which made some tell me, that I cannot grow better, but by growing yet worse: That there is no way to stanch this flux of blood, but by opening some of the master veins; that it is not enough for me to have drunk so deep of this cup of affliction, but I must swallow up the dregs also!

Oh, passenger, stop thy pace, and if there be any sparkles of human compassion glowing in thy bosom, stay a while, and hear my complaints, and I know they will not only strike a resentment, but a horror into thee; for they are of such a nature, that they are able to penetrate a breast of brass, to mollify a heart hooped with adamant, to wring tears out of a statue of marble.

I that have been always accounted the Queen of Isles, the Darling of Nature, and Neptune's Minion; I that have been stiled by the character of 'the first Daughter of the Church,' that have converted eight several nations; I that made the morning beams of Christianity shine upon Scotland, upon Ireland, and a good part of France; I that did irradiate Denmark, Sweden, and Norway, with the light thereof; I that brought the Saxons, with other Germans, high and low, from paganism, to the knowledge of the gospel; I that had the first Christian King that ever was (Lucius) and the first reformed King, Henry the Eighth, to reign over me; I out of whose bowels sprung the first Christian Emperor that ever was, Constantine; I that had five several kings, viz. John King of France, David King of Scotland, Peter King of Bohemia, and two Irish Kings, my captives, in less than one year; I under whose banner that great Emperor Maxamilian took it an honour to serve in person, and receive pay from me, and quarter his arms with mine; I that had the lion rampant of Scotland lately added to fill up my escutcheon, and had reduced Ireland, after so many intermissive wars, to such a perfect pass of obedience; I that, to the wonderment and envy of all the world, preserved my dominions free, when all my neighbour countries were a fire; I that did so wonderfully flourish and improve in commerce, domestick and foreign, by land and sea; I that did so abound with bullion, with buildings, with all sort of bravery that heart could wish; in sum, I that did live in that heighth of happiness, in that affluence of all earthly felicity, that some thought I had yet remaining some ingots of that gold, whereof the first age was made. Behold, I am now become the object of pity to some, of scorn to others, of laughter to all people; my children abroad are driven to disavow me, for fear of being jeered; they dare not own me for their mother, neither upon the Rialto of Venice, the Berle of Augsburg, the new Bridge of Paris, the Cambios of Spain, or upon the Quays of Holland, for fear of being baffled. Methinks I see my next neighbour, France (through whose bowels my gray-goose wing flew so often) making mouths at me, and saying, That whereas she was wont to be the chief theatre, where Fortune used to play her pranks, she hath now removed her stage hither; she laughs at me, that I should let the common people, and now lately the females, to know their strength so much.

Methinks I see the Spaniard standing at a gaze, and crossing himself to see me so foolish as to execute the designs of my enemies upon myself. The Italian admires to see a people argue themselves thus into arms, and to be so active in their own ruin. The German drinks carouses, that he hath now a co-partner in his miseries. The Swede rejoices, in a manner, to see me bring in a foreign nation to be my champion. The Netherlander strikes his hand upon his breast, and protests, that he wisheth me as well, as once the Duke of Burgundy did France, when

he swore, He loved France so well, that, for one King, he wished she had twenty.

Methinks I see the Turk nodding with his turban, and telling me, that I should thank heaven for that distance which is betwixt us, else he would swallow me up all at one morsel: Only the Hollander, my bosom friend, seems to resent my hard condition; yet he thinks it no ill-favour'd sight to see his shops and lombards every-where full of my plundered goods, to find my trade cast into his hands, and that he can undersell me in my own native commodities; to see my gold brought over in such heaps, by those that fly from me with all they have for their security; in fine, methinks I hear my neighbours about me bargaining very hotly for my skin, while, like an unruly horse, I run headlong to dash out my own brains.

O cursed jealousy, the source of all my sorrows, the ground of all my inexpressible miseries! Is it not enough for thee to creep in betwixt the husband and the wife, betwixt the lemon and his mate, betwixt parents and children, betwixt kindred and friends? Hast thou not scope enough to sway in private families, in staple societies and corporations, in common-councils, but thou must get in betwixt King and parliament, betwixt the head and the members, betwixt the members amongst themselves? But thou must divide prince and people, sovereign and subject. Avant, avant, thou hollow-eyed, snake-haired monster; hence away into the abyss below, into the bottomless gulf, thy proper mansion; sit there in the chair, and preside over the councils of hell, amongst the cacodæmons, and never ascend again to turn my high law-making court into a council of war, to turn my cordials into corrosives, and throw so many scruples into that sovereign physick, which was used to cure me of all distempers.

But when I well consider the constitution of this elementary world, when I find man to be part of it, when I think on those light and changeable ingredients that go to his composition, I conclude, that men will be men while there is a world; and, as long as the moon hath an influxive power to make impressions upon their humours, they will be ever greedy and covetous of novelties and mutation: The common people will be still common people, they will some time or other shew what they are, and vent their instable passions. And when I consider further the distractions, the tossings, the turmoilings, and tumblings of other regions round about me, as well as mine own; I conclude also, that kingdoms, and states, and cities, and all bodies politick, are subject to convulsions, to calentures, and consumptions, as well as the frail bodies of men, and must have an evacuation for their corrupt humours, they must be phlebotomised; I have often felt this kind of phlebotomy; I have had also shrewd purges and pills given me, which did not only work upon my superfluous humours, but wasted sometimes my very vital spirits; yet I had electuaries and cordials given me afterwards, insomuch that this present tragedy is but *vetus fabula, novi histriones*; it is but an old play represented by new actors, I have often had the like. Therefore let no man wonder at these traverses and humour of change in me. I remember there was as much wondering at the demolishing of my six-hundred and odd monasteries, nunneries, and abbies, for being held to be hives of drones, as there is

now at the pulling down of my crosses, organs, and windows. There was as much wondering when the pope fell here, as now that the prelates are like to fall. The world wondered as much when the mass was disliked, as men wonder now the liturgy should be distasted: And God grant that people do not take at last a surfeit of that most divine ordinance of preaching, for no violent thing lasts long. And, though there should be no satiety in holy things, yet such is the depraved condition of man, he is naturally such a changeling, that the over-frequency and commonness of any thing, be it never so good, breeds, in tract of time, a kind of contempt in him, it breeds a fulness and nauseousness in him.

The first reformation of my church began at court, and so was the more seaseable, and it was brought to pass without a war: The scene is now otherwise, it is far more sanguinary, and fuller of actors; never had a tragedy acts of more variety in so short a time: There was never such a confused mysterious civil war as this; there were never so many bodies of strength on sea and shore, never such choice of arms and artillery, never such a numerous cavalry on both sides, never a greater eagerness and confidence, never such an amphibolous quarrel, both parties declaring themselves for the King, and making use of his name in all their remonstrances to justify their actions: The affection and understandings of people were never so confounded and puzzled, not knowing where to acquiesce, by reason of such counter-commands. One side calls the resisting of royal commands, loyalty; the other terms loyalty, the opposing of parliamentary orders and ordinances. Both parties would have peace; the one would have it with honour, the other with truth (and God forbid but both should go together) but, *Interea ringor ego*, in the mean time I suffer by both, the one taking away what the other leaves; insomuch that whosoever will be curious to read the future story of this intricate war, if it be possible to compile a story of it, he will find himself much staggered, and put to a kind of riddle; for, touching the intricacy of it, touching the strange nature, or rather the unnaturalness of it, it cannot be paralleled by any precedent example: For in my chronicles I am sure no age can match it, as I will make it briefly appear, by comparing it with all the wars that ever embroiled me, which I find to be of three sorts, either by the invasion of foreigners, the insurrection of my commons, or by the confederacy of my peers and princes of the blood.

I will not rake the ashes of antiquity so far as to speak of that deluge of blood I spilt before I would take the Roman legions for my garison; I am loth to set down how the Saxons used me, and how the Danes used them, nor how I had one whole brave race of people, the Picts I mean, quite extinguished in me; I will begin with the Norman expedition, and, indeed, to make researches of matters, before, is but to grope in the dark, but I have authentick annals and records, for things since. The Norman came in, with the slaughter of near upon sixty-eight thousand combatants upon the place, a battle so memorable, that the very ground, which sucked in the blood, retains the name of it, to this day. The Dane not long after struck in to recover his right, with the sacking of my second great City of York, and the firing of her, with the slaughter of three thousand of my children, in one afternoon; yet he was sent

away without his errand. In the reign of Rufus, I was made of his colour, red with blood, both by the Welch and the Scot, who lost his King Malcolm, in the battle of Alnwick. All my Eight Henries were infested with some civil broils, except my Fifth Henry, the greatest of them, who had work enough cut him out in France, and he plied his work so well, that he put that crown upon his son's head. All my Edwards also had some intestine insurrection or other; indeed, two of my Three Richards had always quietness at home, though the First did go the furthest off from me, and was longest absent of any: And the Third, though he came in by blood, yet the short time of his triennial reign, he was without any, and proved one of my best lawgivers, yet his life ended in blood. Touching my Second Richard, and Second Edward, there were never any of my Kings came to a more tragical end, and the greatest stains in my story were the violent deaths they suffered by the hands of their own (regicide) subjects. The two sister queens, that swayed my scepter, had also some domestick commotions; and now my Charles hath them to the height, insomuch that, of those five and twenty monarchs, who have worn my diadems since the Norman entered, there were only four, viz. the forementioned Henry, and Richards, with King James, escaped free from all intestine broils. Oh, how it torments my soul to remember, how my barons did tear my bowels! What an ocean of blood the two roses cost me before they were conjoined; for during the time that I was a monster with two heads (made so by their division) I mean, during the time that I had two Kings at once, Edward the Fourth, and Henry the Sixth, within me; in five years space, I had twelve battles fought within my intrails, and I lost near upon fourscore princes of the royal stem, and parted with more of my spirits, than there were spent in winning of France. The world knows how free and prodigal I have been of my blood abroad, in divers places; I watered the Holy Land with much of it; against my co-islander the Scot, I had above twenty pitched battles, took many, and killed some of their kings in the field; the flower-de-luces cost me dear, before I brought them over upon my sword; and the reduction of Ireland, from time to time, to civility, and to an exact rule of allegiance wasted my children in great numbers. I never grudged to venture my blood this way, for I ever had glorious returns for it, and my sons died in the bed of honour; but for them to glut themselves with one another's blood, for them to lacerate and rip up (viper-like) the womb that brought them forth, to tear the paps that gave them suck; can there be a greater piacle against nature? Can there be a more execrable and horrid thing? If a stranger had used me thus, it would not have grieved me half so much; it is better to be stung with a nettle, than pricked by a rose; I had rather suffer by an enemy, than by my own natural born offspring. Those former home-waged wars, whereof there happened above fourscore since the Norman came in, were but as fires of flax, in comparison of this horrid combustion, both in my church and state. One may find those wars epitomised in small volumes, but a whole library cannot contain this. They were but scratches, being compared to these deep wounds which prince, peer, and people have received by this; such wounds, that it seems no gentle cataplasms can cure them;

they must be lanced and cauterised, and the huge scars, they will leave behind them, will, I fear, make me appear deformed and ugly to all posterity, so that I am half in despair to recover my former beauty ever again. The deep stains, these wars will leave behind, I fear all the water of the Severn, Trent, or Thames, cannot wash away.

The twentieth Moon hath not yet run her course, since the two-edged sword of war hath raged and done many horrid executions within me, since that hellish invention of powder hath thundered in every corner, since it hath darkened and torn my well-tempered air, since I have weltered in my own blood, and been made a kind of cockpit, a theatre of death; and, in so short a circumvolution of time, I may confidently affirm, take battles, rencounters, sieges, and skirmishes together, there never happened so many in any country; nor do I see any appearance (the more is my misery) of any period to be put to these distractions. Every day is spectator of some new tragedy, and the relations, that are hourly blazed abroad, sound sometimes well on the one side, sometimes on the other, like a peel of bells in windy weather (though, oftentimes in a whole volley of news, you shall hardly find one true report) which makes me fear that the all disposing Deity of heaven continueth the successes of both parties, in a kind of equality, to prolong my punishment. *Ita ferior, ut diu me sentiam mori*; I am wounded with that dexterity, that the sense and agonies of my sufferings are like to be extended to the uttermost length of time, and possibility of nature.

But, O passenger, if thou art desirous to know the cause of these fatal discomposures of this inextricable war; truly I must deal plainly, I cannot resolve thee herein to any full satisfaction. Grievances there were, I must confess, and some incongruities in my civil government (wherein, some say, the crosier, some say, the distaff was too busy) but I little thought, God knows, that those grievances required a redress this way. Dost thou ask me, Whether religion was the cause? God forbid: That innocent and holy matron had rather go clad in the snowy white robes of meekness and longanimity, than in a vest of sanguine dye; her practice hath been to overcome by a passive fortitude without reaction, and to triumph in the milk-white ivory chariot of innocency and patience, not to be hurried away with the fiery wheels of war; *les larmes not les armes* (as my next neighbour hath it) groans not guns were used to be her weapons, unless in case of open and impending danger, of invincible necessity, and visible actual oppression; and then the arms she useth most is the target to shroud herself under, and fence away the blow; she leaves all other weapons to the Alcharon, to propagate and expand itself. This gentle grave lady, though the rubrics of her service be in red characters, yet she is no lover of blood; she is an improver of peace, and the sole object of her devotion is the God of Peace, in whose highest name, in the name Jehovah, as the Rabbies observe, all the letters are *quiescent*. That sacred comforter, which inspires her ambassadors, uses to ascend in form of a dove, not in the likeness of a devouring vulture, and he that brings him down so may be said to sin against the Holy Ghost; to beat religion into the brains, with a pole-ax, is to make a Moloch of the Messias, to offer him victims of human blood: Therefore, I should traduce and much wrong

religion, if I should cast this war upon her; yet methinks I hear this holy distressed matron lament, that she is not also without her grievances; some of her chiefest governors, for want of moderation, could not be content to walk upon the battlements of the church, but they must put themselves upon stilts, and thence mount up to the turrets of civil policy; some of her preachers grew to be mere parasites, some to the court, some to the country; some would have nothing in their mouths, but prerogative, others, nothing but privilege; some would give the crown all, some nothing at all; some, to feed zeal, would famish the understanding; others to feast the understanding, and tickle the outward ear (with essays and flourishes of rhetorick) would quite starve the soul of her true food, &c.

But the principal thing, that I hear that reverend lady, that queen of souls, and key of heaven, make her moan of, is, that, that seamless garment of unity and love, which our Saviour left her for a legacy, should be torn and rent into so many scissures and sects, by those that would make that coat, which she wore in her infancy, to serve her in her riper years. I hear her cry out at the monstrous exorbitant liberty, that almost every capricious mechanick takes to himself, to shape and form what religion he lists; for the world is come now to that pass, that the taylor and shoe-maker may cut out what religion they please; the vintner and tapster may broach what religion they please; the druggist and apothecary may mingle her as they please; the haberdasher may put her upon what block he pleases; the armourer and cutler may furbish her, as they please; the dyer may put what colour, the painter may put what face upon her he pleases; the draper and mercer may measure her as they please; the weaver may cast her upon what loom he pleases; the boatswain and mariner may bring her to what dock they please; the barber may trim her as he pleases; the gardener may lop her as he pleases; the blacksmith may forge what religion he pleases, and so every artisan, according to his profession and fancy, may form her as he pleases. Methinks I hear that venerable matron complain further, how her pulpits in some places are become beacons; how, in lieu of lights, her churches up and down are full of firebrands; how every caprichio of the brain is termed tenderness of conscience, which well examined is nothing but some frantick fancy, or frenzy rather, of some shallow-brained sciolist; and, whereas others have been used to run mad for excess of knowledge, some of my children grow mad now-a-days, out of too much ignorance. It stands upon record in my story, that when the Norman had taken firm footing within me, he did demolish many churches and chapels in New Forest, to make it fitter for his pleasure and venery; but amongst other judgments, which fell upon this sacrilege, one was, That tame fowl grew wild: I fear God Almighty is more angry with me now than then, and that I am guilty of worse crimes; for not my fowl, but my folk and people, are grown half wild in many places, they would not worry one another so in that wolfish belluine manner else; they would not precipitate themselves else into such a mixed mungrel war, a war that passeth all understanding; they would not cut their own throats, hang, drown, and do themselves away in such a desperate sort, which is now grown so common, that

self-murder is scarce accounted any news; which makes strangers cry out, that I am all turned into a kind of Great Bedlam, that Barbary is come into the midst of me; that my children are grown so savage, so fleshed in blood, and become so inhuman and obdurate, that, with the same tenderness of sense, they can see a man fall, as a horse, or some other brute animal, they have so lost all reverence to the image of their Creator, which was used to be more valued in me, than amongst any other nations.

But I hope my King and great council will take a course to bring them to their old English temper again, to cure me of this vertigo, and preserve me from ruin; for such is my desperate case, that, as there is more difficulty, so it would be a greater honour for them to prevent my destruction, and pull me out of this plunge, than to add unto me a whole new kingdom; for true wisdom hath always gloried as much in conservation, as in conquest.

The Roman, though his ambition of conquering had no horizon, yet he used to triumph more (as multitudes of examples might be produced) at the composing of an intestine war, than for any new conquest, or foreign achievement whatsoever; and though he was a great martial man, and loved fighting as well as any other, yet his maxim was, That no peace could be so bad, but it was preferable to the best war. It seems the Italian, his successor, retains the same genius to this day, by the late peace (notwithstanding the many knots that were in the thing) which he concluded: For, although six absolute princes were interested in the quarrel, and that they had all just pretences, and were heated and heightened in their designs, yet, rather than they would dilaniate the intrails of their own mother, fair Italy, and expose her, thereby, to be ravished by Tramontanes, they met half way, and complied with one another in a gallant kind of freedom, though every one bore his share in some inconvenience. Oh! that my children would be moved by this so seasonable example of the Italian, who, amongst others of his characters, is said to be wise *a priori*, before the blow is given. I desire my gracious sovereign to think, that it was never held inglorious or derogatory for a King to be guided, and to steer his course, by the compass of his great council, and to make his understanding descend, and condescend, to their advice; nor was it ever held dishonourable for subjects to yield and bow to their King; to be willows, not oaks; and, if any mistake should happen, to take it upon themselves, rather than any should reflect upon their sovereign. And if, in case of difference, he be willing to meet them half way, it were handsome they went three parts thereof to prevent him. Therefore I conjure them both in the name of the great Deity of Heaven, who transvolves kingdoms, and tumbleth down Kings in his indignation, that they would think of some speedy way to stop this issue of blood; for, to deal plainly with them, I see far greater reason to conclude this war, than ever there was to commence it: Let them consider well they are but outward church rites and ceremonies they fight for, as the rigidest sort of reformers confess: The Lutheran, the first reformist, hath many more conformable to the church of Rome, which he hath continued these hundred and twenty years; yet is he as far from Rome as the first day he left her,

and as free from danger of relapse into popery, as Amsterdam herself : And must I, unhappy I, be lacerated and torn in pieces thus for shadows and ceremonies ? I know there is a clashing betwixt prerogative and privilege, but I must put them in mind of the misfortune that befel the flock of sheep and the bell-wether, whereof the first fed in a common, the latter in an inclosure, and thinking to break into one another's pasture (as all creatures naturally desire change) and being to pass over a narrow bridge, which severed them, they met in the middle, and jostled one another so long, till both fell into the ditch. And now that I have begun, I will warn them by another fable of the Spanish mule, who having, by accident, gone out of the great road, and carried her rider thorough a bye path upon the top of a huge steep rock, stopped upon a sudden, and being not able to turn and go backward, by reason of the narrowness of the path, nor forward, in regard of a huge rocky precipice, she gently put one foot behind the other, and recoiled in that manner, until she had found the great road again.

I desire my high council to consider, that the royal prerogative is like the sea, which, as navigators observe, what it loseth at one time, or in one place, gets always in some other ; I desire my dear king to consider, that the privilege of parliament, the laws and liberties of the subject, is the firmest support of his crown ; that his great council is the truest glass wherein he may discern his people's love, and his own happiness ; it were wisdom that both did strike sail in so dangerous a storm, to avoid shipwreck ; I am loth to say, what consultations, what plots and machinations are fomenting and forging abroad against me, by that time I have enfeebled and wasted myself, and lost the flower of my best children in these woeful broils. Methinks I spie the Jesuit sitting in his cell, and laughing in his sleeve at me, and crying out, The devil part the fray, for they do but execute my designs.

Oh ! I feel a cold qualm come over my heart, that I faint, I can speak no longer ; yet I will strain myself to breathe out this one invocation, which shall be my conclusion :

Sweet peace, most benign and amiable Goddess, How comes it to pass that thou hast so abandoned earth, and, taking thy flight to heaven, as once Astræa did, dost reject the sighs and sacrifices of poor mortals ? Was that flaming usher of God's vengeance, which appeared six and twenty years since in the heavens, the herald that fetched thee away ? For ever since poor Europe hath been harrassed, and pitifully rent up and down with wars, and now I am become the last scene. Gentle peace, thou which goest always attended on by plenty and pleasure ; thou which fillest the husbandman's barns, the grasier's folds, the tradesman's shop, the vintner's cellars, the lawyer's desk, the merchant's magazines, the prince's treasury, How comes it to pass that thou hast given up thy throne to Bellona, that all-destroying fury ? Behold how my plundered yeoman wants hinds and horses to plow up my fertile soil ; the the poor labourer, who useth to mingle the morning dew with his anheled sweat, shakes at his work for fear of pressing ; the tradesman shuts up his shop, and keeps more holidays than willingly he would ; the merchant walks to the Exchange only to learn news, not

to negotiate. Sweet peace, thou which wast used to make princes courts triumph with tilt and tournaments, and other gallantries, to make them receive lustre by foreign ambassadors; to make the arts and sciences flourish; to make cities and suburbs shine with goodly structures; to make the country ring with the huntsman's horn, and the shepherd's pipe: How comes it to pass that blood-thirsty discord now usurps thy place, and flings about her snakes in every corner? Behold my prince's court is now full of nothing but buff-coats, spanners, and musquet-rests; the country echoes with nothing but with the sound of drums and trumpets. Hark how pitifully my lions roar, how dejectedly my roses and flower-de-luces hang down their heads, what doleful strains my harp gives.

O consider my case, most blissful queen; descend, descend again in thy ivory chariot; resume thy throne, crown thy temples with thy wonted laurel and olive, bar up Janus's gates, and make new halcyonian days to shine in this hemisphere; dispel those clouds which hover betwixt my King and his highest council, chase away all jealousies and umbrages of mistrust, that my great law-making court be forced to turn no more to polemical committees, and to a council of war (unless it be for some foreign conquest) but that they may come again to the old parliamentary road, to the path of their predecessors, to consult of means how to sweep away those cobwebs that hang in the courts of justice, and to make the laws run in their right channel; to retrench excessive fees, and find remedies, for the future, that the poor client be not so peeled by his lawyer, and made to suffer by such monstrous delays, that one may go from one tropick to another, and cross the equinoctial twenty times, before his suit be done; that they may think on a course to restrain gold and silver from travelling without license, with other staple commodities, and to punish those that transport hides for calves skins; to advance native commodities and manufactures; to balance and improve trade, and settle it so, that it may stand upon its own bottom, and not by any accidental ways, as, of late years, a glut of trade was cast upon me by the wars betwixt France and the house of Austria, and others.

That this trade of mine, my chiefest sinew, be not cast into the hands of aliens, who eat me out, in many places, in my own commodities; that it be prevented hereafter, that one be not permitted to ingross and ingulph all, but that my trade and wealth may, by some wholesome policy, be diffused up and down my cities in a more equal distribution; that they may advise of a way to relieve the orphan, who suffers more for his minority in me, than any where else; that the poor insolvent subject be not so buried alive, and made to rot in prison, notwithstanding his apparent disability, whereas, were he abroad, he might be useful to the commonwealth some way or other, and come haply, afterwards, to an ability to pay; to regulate the business of drained lands, which, well managed, would tend very much both to inlarge and enrich my quarters; to secure the dominion of my seas, the fairest flower of my crown, which is now almost quite lost; to preserve my woods, whereof, if this course hold, there will hardly be found, in some places, enough to make a tooth-pick; to settle the revenues, and supply the wants of my crown; for the wants of the crown, and the grievances of the subject, have been always used to go hand in hand in my parliaments. And,

now that my neighbour princes, especially France and Spain, have, of late years, enhanced the revenue royal, at least, to the third part more than it was, it were a disparagement to me, that my king should not bear up in equal proportion, and point of greatness, this way, considering that he hath more of the royal stem to maintain, than any of his progenitors ever had. Lastly, That they may settle a way to regulate all exorbitant fancies of novelists, in the exercise of holy religion: Where there is no obedience, subordination, and restrictive laws, to curb the changeable humours and extravagancies of men, there can be no peace or piety: If the fire be not kept within the tunnel of the chimney, and that some be appointed to sweep down the soot (which may be done otherwise than by shooting up of musquets) the whole house will be in danger of burning.

Oh me! I feel the pangs of death assail me, let some good body go toll the bell; and, as one of my Kings, the night before he was slain in New Forest, for the expiation of his father's sacrilege, did dream, that a cold wind did pass through his bowels; so, methinks, I feel a bleak cold northern blast blowing upon me, which I fear will make an end of me: It is a miracle if I escape, it is only the high hand of Providence can preserve me. If I and my monarchy miscarry, I desire that my epitaph may be written (in regard I know him to have been, a long time, not only sensible, but a sharer with me, in point of suffering) by my dearly beloved child,

JAMES HOWELL.

To the discerning reader.

HE, that with a well-weighed judgment observeth the passions of this discourse, must needs conclude, that the author, besides his own hard condition, hath a deep sense of the common calamities of this country in general, which makes him break out into such pathetick expressions. And, because he might do it with more freedom, and less presumption, he makes England herself to breathe out his disordered passions. We know a mother hath a prerogative by nature to speak home unto her children, and sometimes in a chiding way, though with tears in her eyes, to give them advice. The same doth England in this discourse, but with all the indulgence and indifferency that may be to both parties. Therefore the author humbly hopes, that no exception, much less any offence, will be taken at her complaints, or counsel.

J. H.

MOCK-MAJESTY;

OR,

THE SIEGE OF MUNSTER,

Being a true story of those fine things, wherewith King John Becock, at first a botcher of Leyden by profession, and his companions the anabaptists, pleased themselves, after they were become masters of that city. You shall here likewise have the issue of the whole mock-show.

Quidam, ut imperium subvertant, libertatem proferunt; si subverterint, ipsam aggredientur.

C. TACITUS.

Malignitati falsa species libertatis inest.

Idem, Histor. Lib. i.

ELEUTHEROPOLI, ANNO 'ANABAPTISTOMANI'AZ, C. XIIX.

Imprimatur, James Cranford.

London, printed for J. S. and L. C. 1644. Quarto, containing thirty-two pages.

To the worshipful Mr. Richard Lithgold and Mr. John Child, bailiffs of the ancient corporation of Kingston upon Thames: For their endeavour for the publick good: For their vigilancy in their place and office: Especially, for the assistance and encouragement of their Minister, in preaching the word, and suppressing novel fancies:

This is dedicated,

Willingly, deservedly.

To the intelligent reader, baptised or rantised.

THOU must excuse me for this pretty new stamped word. It is pity but it should signify something in English. Whether it do or no, it is not a week since first met with it, and that in a way of scorn, and contempt, of the baptism of our church. He that goes about to naturalise it, and make it a denizen, is one that takes upon him also to question the truth of that relation, which we have in Sleidan's commentaries, concerning the tumultuous carriage of the Anabaptists in Germany, as himself speaks; making the author thereof, for differing opinions sake in matter of religion, to make no conscience of violating that sacred rule, which directs and binds every noble historian. That he dare speak nothing false, nor yet conceal any

thing that is true. Not a little troubled to see so injurious and false an imputation laid upon the truest history, that ever was written since the Acts of the Apostles; I was the more incited to communicate again to the publick view, and that in a language which we all can understand, that part thereof, which concerns those tumults more especially; and I do look for better grounds, for the confuting thereof, than such weak surmises and exceptions, that he was a contrary-minded historian; or that it is not lawful to believe an history, from the mouth, or pen, of an enemy. More Christian and rational charity, I am sure, hath been observed to direct the souls and actions, even of heathen men themselves. And I forbear not to make use of St. Paul's question therein: Is he therefore become your enemy, because he speaks the truth? As for our author, he hath as faithfully, as ever did any, observed what the learnedest of the Jews requires in a good historian: To relate nothing, which he could not maintain from his particular and certain knowledge thereof, by personal employment in the action; or else had not received it from the hands of such, whose truth ought not to be called into question. What, in this respect, is objected against him by Matthæus Dresserus, upon the bare word, and assertion, of his friend, Christoph Carlevilius, hath as much weight in it, as Mr. Blackwood's surmises. And of what spirit Dresserus was, learned men, who have perused his books, certainly cannot be ignorant. Only I am sorry to see any reformer join, or, at least, agree with so great a stickler for the see of Rome; and that in a censure against a protestant, of such known piety and integrity. It is hard to gainsay what the noon-day looks upon and witnesses: And now to deny what our fore-fathers, and all Christendom, well-near took notice of, with no less wonder than shame, were to endeavour to swagger truth out of the world. The great respect and entertainment, which Sleidan had here, when he was ambassador to the court of England in the general name of all the protestants of Germany, shall be both a testimony of his prudence, faithfulness, and other abilities in publick affairs; and also an assurance, that this *τεμάχιον*, or fragment, of that his most excellent history, shall find welcome with us in an English, though somewhat a coarser dress. How sacred and venerable he esteemed truth to be, and how religious a thing he accounted it to swerve in the least matter, from the nice observing of it, if any man be not Christian enough to have charity to believe the man himself herein, others then in this case shall more than abundantly witness it. Thuanus, Beza, &c. Papists, Calvinists, Lutherans, and men of what religion soever, that are not yet more blinded by faction, than led by reason, will give satisfaction in this belief, even to such as are extremely scrupulous. And if all these will not work in Mr. Blackwood a belief of Sleidan's truth, in respect of this relation, then let his own name-sake, and countryman, and perhaps kinsman, Adam Blackwood, a very learned writer, tell the story; and what both his credit and judgment was, concerning the same. Now you must pardon him, if he do perchance

Auriculas teneras mordaci radere vero:

And here you have his own words, rendered as nearly as conveniency would permit: *Lindenius quidam* (falsly printed for *Leydensis Sarcinator*, &c.) A certain botcher, says he, of *Leyden* in *Holland*, having by his sermons gotten to be King of the *Anabaptists*, stirred up a rebellion of the common sort of people, as formerly others had done, who for ten years space, destroyed and laid waste *Germany*, and occasioned the death of many thousands. But here I cannot sufficiently admire the sottishness of those men, who placed over themselves such a King, as preached nothing else to the people, but the destruction of kingdoms, the abrogation of magistrates, and that all men were created by that great and powerful God, to a like condition: Who either from those wild conceits he had gathered out of the *Talmud*, or other *Judaical* forgeries, or else, from absurdities taken out of the *Alcoran*, did teach them, that the enemies of their religion, or rather indeed of their rebellion and treason, were to be dealt withal by banishment and imprisonment; by bonds, and stripes, and by death itself. The truth of the matter procures itself belief. And I could wish, that all were but lyes, and merely feigned; and that the truth of the carriage of the whole business otherwise might confute what I say. At first, when this doctrine, newly raised from hell, was scattered and spread among the people, nothing could seem more meek and simple, than these kind of men. They desired nothing, forsooth, but reformation of the old discipline, and liberty of conscience. But, I pray you, what liberty of conscience call you that, which, breaking down all pales and boundaries, endeavours what it can to ruin kingdoms, and commonwealths, and to suppress all manners and laws? This conscience is a wolf, in a sheep's cloathing. And as the sea-horse, according to *Plutarch*, kills the sire, that he may more easily couple with the dam; so these mad men, that they may with more freedom abuse the commonwealth, which is the mother of us all, to their own lusts, they strive to disenthroned, and put down all Kings and magistrates, who are the common fathers of the people. And as the viper is not born, but by eating out a way to life; so neither is this new profession, but by the destruction of the commonwealth, our mother. For, as *Macrobius* says of the *Epicures* sect, this whole faction, carried away from the truth with a full swing, cannot by any means subsist, but by the corruption of manners and laws, and the utter ruin of states. For where good laws are in force, how possibly can any scoundrel fellow, and dunghil cobbler, any talkative, ignorant, impudent coxcomb aspire, and aim at principality, and a kingdom, and tyranny itself? They, that were first indeed misled by this way, might be somewhat excused, as being, through their folly and simplicity, inveigled under a fair pretence, and shew of evangelical truth. But now, if any one at this day, and in so great a light of the Gospel, suffer himself at noon-tide to be blinded and seduced, he shall not be conceived to offend out of folly and simplicity, but out of stubbornness, and incurable madness; and therefore must by no means think to deprecate that judgment, which he hath voluntarily, and with his own hands, plucked upon his own head. Thus far out of that learned man, the

contrary-minded Mr. Blackwood, if I may borrow the expression, in his book dedicated to the excellent Prince Henry, and inscribed, *De Vinculo Religionis & Imperii*. A writer, to say no more, for it is testimony sufficient, very highly esteemed of, for his singular learning, by that great and eminent lawyer, Chancellor Egerton, Lord Ellesmere.

Farewel.

And the bramblesaid unto the trees, if in truth ye anoint me King over you, then come, and put our trust in my shadow; and if not, let fire come out of the bramble, and devour the cedars of Lebanon.

Judg. ix. 15.

NOT far from Munster, one of the chief cities of Westphalia, is a church, dedicated to St. Maurice, wherein one Bernard Rotman, in the year 1532, preached the gospel to a very numerous auditory; and, when the citizens thought of some course to bring him in among them, they were hindered by the papists, who gave him a small piece of money to go somewhere else and exercise his talent: He hereupon goes his way, and, having touched at several places, casting about for his best profit and advantage, after some months absence, returns back to Munster. They, that were not well pleased therewith, did what they could to keep him out of the pulpit, but to no purpose, the people were already so much taken with him. Therefore presently some of the abler and wealthier sort got him in among them into the city; and, finding the church-doors shut up against him, they set him up a pulpit without doors in the porch; and, being now become confident of their strength, and presuming on their numbers, they make bold to demand the keys of the church from the priests, threatening otherwise themselves to break open the doors. Not long after, Rotman, by the counsel and consent of some who were chief of his party, sends letters into the Landgrave of Hesse's country, being not far distant from thence, requesting, that some able and learned men might be sent to assist him in the plantation of the Gospel. They of Marpurg sent him two; who, with himself and three others, straightway enter into consultation, how with best speed they might rid all the papists out of the city, that by this means the Gospel might be preached with more freedom and liberty. The best way, they could think upon, was to sum up all the popish errors; and so, digesting them into thirty heads, they delivered them to the magistrates, assuring them all to be repugnant to the word of God, offering to make it good out of the holy scriptures, even with the hazard of their own lives. Hereupon, the magistrates cite the friars and priests to appear before them in publick, exhibiting the same articles of their errors alledged against them. Now, whereas they had ever borne the people in hand, that their doctrine was according to purity, and grounded on the word of God, which notwithstanding those preachers denied, undertaking to maintain it with their utmost peril, the magistrates demanded of them, Whether they could confute, by scripture,

what was objected against them? This being in such manner proposed unto them, as that they might well perceive thereby how the magistrates stood affected, they answered in brief, That they had nothing to urge for their own defence, but that, whereas hitherto they had made the people believe their doctrine to be sound and warrantable, all proceeded either from opinion, or ignorance. Wherefore the magistrates, upon conviction of their falshood, and errors in doctrine, having nothing to answer for themselves, but the bare confession of their own lewdness, commanded that, for the time to come, they should cease preaching to the people, and yield up their rooms every where to these new teachers, who had detected and laid open their ignorance and impostures. Afterwards, by a joint agreement of the magistrates and people, they had each of them particular churches appointed to teach in, which the friars in general took very scurvily, but they especially of the cathedral, being most of them descended of good families. They, when they saw no other remedy, departed in anger, making their address to the bishop; the result of their consultations with whom was, to beset all the ways and passages, whereby provision might be brought into the city. Which being done, the bishop, with the rest, went to Telget, a small town about three miles distant from the city, to take further counsel there. At length they dispatched a messenger with letters to the magistrates, warning them to cease from their intended courses, and to restore all things to their former state and condition; otherwise, that they should be declared as enemies. The bishop then was Count Francis Waldeck, and, before him, Frederick, brother to the Archbishop of Cologne; but he, either for his health's sake, or foreseeing the storm that was like to fall, had, not long before, voluntarily quitted both office and place, contented to lead a private life rather in his own country, than to hazard his quietness among a factious and seditious people.

They of Munster, upon deliberation, detained the messenger; and, issuing out upon Christmas-eve, some nine-hundred of them came unexpectedly upon the town, which instantly they took, besetting every way, that none might make escape; but the bishop had departed thence the day before. Thus they brought the prisoners into the city, among whom were the chief of the clergy, and others of very noble descent. The magistrates demanded of them, What they intended to do? And whether they purposed any more to hinder the preaching of the Gospel, for the time to come? They freely answered, They would do what in them lay to further it. By this means they fell to an agreement, a copy whereof the magistrates sent to the Landgrave of Hesse, withal intreating him, that, for the Gospel's and commonwealth's sake, he would not be wanting to help on a business of so great moment.

Hereupon he dispatcheth some to them, by whose intercession a reconciliation was made; but, all wrongs and injuries being forgotten, a firm peace was concluded on: That, in six churches, the Gospel should be taught: That whatsoever was unbecoming, or superstitious, in matters of religion, should be abolished: That, in the cathedral, nothing should be altered, that the citizens should not think that it any way belonged to them. These articles of agreement were subscri-

bed, and signed with the seals of the Landgrave, the bishop and his officers, the nobility, gentry, and people in general, February the fourteenth, 1533.

Things being settled in this manner, there came to Munster one John of Leyden, an Hollander, and a botcher by profession, a stiff Anabaptist. He, having cunningly insinuated himself into the acquaintance of the preachers there, began at first, in private discourse, to ask them, Whether they thought it fit to baptise infants? Which they affirming, he, wholly carried with the contrary opinion, fell to scoffing and contemning of them: whereupon Bernard Rotman, of whom there is former mention, in a publick assembly of the people, exhorted them to pray to God, that they might enjoy the doctrine of Christ in purity, not polluted with the corruptions of fanatical and hot-brained men, especially the Anabaptists, who secretly crept in among them, and frequented their assemblies; whose opinion, if it should once get the upper hand, was like to prove destructive both to church and commonwealth. About the same time came thither also one Herman Stapreda, who, being appointed colleague or partner in the ministry with Rotman, began publickly to inveigh against the baptism of little ones.

This fellow had been sometime a hearer of one Henry Roll, whom they of Utrecht had, not long before this, put to death for his preaching of Anabaptism. And this was another degree and step, whereby to advance this new doctrine; the matter being already brought to such a pass, that all the talk of the town was now concerning the Anabaptists. Yet what they did was all in private; none being admitted into their assemblies, but such as were of their own sect; their teachers likewise forbearing to maintain any thing in publick, venting their doctrines in the night-time, when others were asleep, then only performing their mysterious works of darkness: But matters could not be carried so close, but that the people must needs take notice thereof, who took great exceptions at it, and cried out shame that new doctrines should be sowed and scattered abroad by night, as if they feared the reproof and confutation of the day-light. Hereupon the magistrates made an ordinance, that the chief authors thereof should quit the city; which indeed they did, but were no sooner gone forth, but they returned back by another way, being now so bold as to give it out, that God had commanded them to continue there still, and to play their parts with a deal of bravery and confidence. This somewhat moved the magistrates, and indeed struck them with no small wonder: therefore, to avoid greater uproars, and commotions in the city, as well the ministers of the Anabaptists as of the Gospel are cited to appear in their town-hall, and a set number of learned men appointed besides. Here Rotman bewrays of what spirit and temper he was, and having for so long together kept himself close, he now in a general concourse publishes his opinion; and, with a great deal of bitterness, he declares the baptism of infants to be a thing both ungodly and execrable: but Herman Busch, a very learned man, so ably maintained the contrary in presence of the magistrates, that they, by a publick decree, were straightway commanded to forsake the city. They, finding no remedy, pretended how unsafe it was for them to pass the bishop's country; where-

upon the magistrates gave them safe conduct, and provision for their journey. But having formally resolved never to change their abode for any other, but to nestle here still, after a while returned privately to their proselytes here, lurking closely in their houses for a time. The magistrates in the mean while, before such time as they began to peep out of their holes, shut up the doors of all their churches but one. For their fear was, lest the Anabaptists, whose numbers daily increased, having once more got the company of the teachers there, might wholly shut out the ministers of the Gospel.

Upon this, in November, the Landgrave, at the request of the magistrates, sent two ministers more to preach among them, Theodorick Fabricius and John Melsinger: but Melsinger, apprehending the commotions in the city, and the danger which might ensue thereon, returned home again presently. The other zealously exhorted the citizens that they would heedfully beware of the doctrine of the Anabaptists; in which course likewise he held on courageously, and continued in it, till such time as the Anabaptists, getting the upper hand, made all fly before them out of the city, as you shall hear anon. And, to make all sure, as he thought, the Landgrave prescribed a set form of doctrine and administration of discipline, and that by consent of the magistrates and people: by whose permission also Peter Wirtem had leave to begin again to preach; but after a few sermons, by Rotman's instigation, he was expelled by the Anabaptists; who, being now become more insolent and daring, took upon them to challenge Fabricius and others to dispute with them. The magistrates gave way hereunto, ordering withal, that they should use no arguments or authority, but such as they brought out of scripture, or the writings of orthodox men; appointing some sufficient and learned men, who, as judges, hearing and examining what could be alledged on both sides, should decide the controversy; and what they determined should stand ratified, and acknowledged by all, for the speedier abolishing of contentions and quarrels, and the restoring and establishing of peace in the church: but Rotman and his fellows would not stand to these conditions. When therefore they would not agree to this ordering and decision of the matter in hand, they came to be slighted generally, and scorned by the common sort of people. To wash away which shame and contempt, they devised a more effectual and compendious course, and it was thus: One, who was sufficiently instructed to act his part, was suborned by the rest to counterfeit himself inspired on the sudden by the Holy Ghost, and to run to and fro up and down the city, calling out upon the people, as he went along, to repent, and be baptised again; that, otherwise, the heavy wrath of God would suddenly fall upon them all. What tumults happened among the people hereupon, is easy to imagine; every one that had been re-baptised crying the same amain, and that too in the same manner. Many therefore fearing the fierce anger of God, so much threatened by them, were persuaded, being otherwise men of an honest meaning, but herein betrayed by their own simplicity and weakness. Others also yielded to them; but to no other end, but to save what they had: for the Anabaptists handled them that stood out in a very rough manner, turning them quite out of all. This happened about

the end of December, whereupon their teachers now began to look out again, having concealed themselves, as I told you before, in their several lurking-holes: and so, gathering a great concourse of people in the market-place, they cried out amain to slay all such as had not been re-baptised, esteeming them in no better a condition than pagans and infidels. Next they seized upon the publick magazine of arms, and the court-hall, besides the violence they offered to the houses of private men, and those of the best quality. There were some, who, to save themselves and theirs, had got them into a place of the city, which was naturally disposed for defence, and by this means they took many of them. This bickering with the Anabaptists, who had fortified themselves in the market-place, lasted so long, till at length, giving hostages on both sides, they came to a composition; wherein it was agreed upon, that every one should enjoy their own religion, depart to their own houses, and keep the peace for the time to come. Rotman in the mean while, and Bernard Knipperdoling, the ringleaders of the faction, although they seemed outwardly to advance the composition, yet, underhand sending letters to the neighbouring towns, they invited them of their own sect, that, leaving all they had, they should forthwith repair to Munster; telling them withal, that what they lost thereby they should speedily regain again with ten-fold usury. Moved by these large swelling promises, they came thither in great numbers, women as well as men, every one devouring great matters in their hopes, especially they of meaner condition. The citizens, especially they of the wealthier sort, perceiving the city to fill with strangers, withdrew themselves as conveniently as they could, leaving the Anabaptists and promiscuous multitude behind them. This was in February, a little before Shrove-tide, in the year 1533.

The one side being, by this means, weakened, the Anabaptists fell to chusing a new magistracy, all of their own faction. They made likewise two new burgomasters, Knipperdoling being one of them. And, not long after, they set upon St. Maurice's church, firing it, with all the houses near it. Then they fell to robbing and spoiling all the other churches, especially the cathedral. And after all this mischief, in the last place, running through every street of the city, they called out upon the people to repent. Then changing their note, they warned all the wicked, as they termed them, straightway to quit the place, except they had a mind to run the hazard of their lives. Then taking arms, they presently forced all such as were not of their own sect, out of the city, making no reckoning of either age or sex; insomuch that many women great with child miscarried in this heady and tumultuary flight. Next, they seized upon the goods of them they had driven out. And, although this happened but the day before the bishop besieged the city, yet, some in their flight thence, falling into the bishop's hands, were treated no better than enemies; and it cost some of them their lives, and, amongst them, one or two were ministers of the Gospel. Peter Wirtem, of whom I spoke before, being in some danger, was delivered by intercession of the Landgrave. The other townsmen, warned with the fear hereof, seeing what danger they that had left the city, had run themselves into, being well-meaning men, were forced, in a

manner, against their wills, to stay there still. About this time, John Matthews, a prophet, for that term they use, of high esteem amongst them, commanded that every one should bring into the publick what gold, silver, or other moveables whatsoever they were possessed of, threatening death to such as should fail hereof; and a house was publickly appointed for the same purpose. The people, being terrified with the severity of this ordinance, were fain to obey: and, to avoid all deceit herein, by keeping back any part of what they had, two maids, forsooth, and they prophetesses, were suborned, pretending to reveal whatsoever cousenage any one should commit therein. Neither brought they together only what was their own, but their goods also were brought in common, whom they had turned out of the city. In the next place, the same prophet commanded, that no body should have, or keep by him, any other book, but the bible; that all other books should be brought and burnt in publick: this commandment, he said, he had received from God. Books, therefore, were brought together in great numbers, and consumed in the flame. A certain smith, by chance, at the same time, called Hubert Truteling, had cast forth some jesting speeches against them they called their prophets. This coming to be known, they called together the multitude, and appointed others to be ready in arms; here they accuse and condemn the fellow; this moved the people exceedingly. The first that laid hands on him was the prophet I told you of, throwing him down, and then running a pike into him; yet the wound proved not mortal, although he ran at him with his full strength. Then he commanded him to be removed to another place, where he shot him with a musquet, which he snatched out of a young man's hand that stood by. But, when this neither could dispatch him, he said, God had revealed it to him, that the time was not yet come that he must die; and that, moreover, God had revealed his grace unto him. However, he died within a few days after. Hereupon the prophet taking a long spear, and, running violently through the city, cried out, That God the Father had commanded him to beat the enemy off from the city; but, coming near the enemy's quarters, he was met by a common soldier, who presently ran him through. And, although his predictions fell short, and failed him now in a second business, yet his fellow prophets had so infatuated and bewitched the people, and set out the matter in such a dress, that they much lamented the loss of him; fearing withal, that some heavy judgment hung over their heads, having so worthy and eminent a man taken from amongst them. But John of Leyden being also a prophet, and of next esteem to him, bids them all be of good cheer, for that it had been long before revealed to him, that he should come to such an end; that he would take his widow home to himself, and make her his wife.

Two days before Easter they ran into the churches, and there fell a ringing all the bells at once. Not long after, Knipperdoling prophesies, That they, who were now in high place and dignity, should be brought low enough; and that others again should be preferred and raised from an humble and mean condition; and that he commands all the churches should be destroyed; maintaining, with a great deal of gravity, that

this commandment proceeded from God himself. Wherefore, upon this asseveration, he was obeyed with a great deal the more chearfulness and diligence. About the same time, John of Leyden delivers a sword to Knipperdoling, and orders him to be the common headsman; for that it pleased God to have it so, that he, who had lately borne the highest office, having been burgomaster, should bear now the meanest, and be no better than a hangman, he being so far from refusing it, that he seemed to entertain his new place with a great deal of joy and thankfulness.

The bishop of Munster had, for some months, maintained the war alone, upon his own charges; but now Herman, the Archbishop of Cologne, and John, Duke of Cleves, sent him money, ammunition, some troops of horse, and companies of foot. The archbishop also came to the siege, to sit in council with them; and, not long after, they made some assaults upon the city in several places; but, seeing no hopes of storming it, they raised seven forts about it, thereby to keep all manner of provision from coming to them; intending that some companies of horse and foot should lie there all the winter: the Bishop of Munster, in the mean time, demanding aids for the continuance of the siege, of all the princes and cities lying upon, or near the Rhine, as being his neighbours, and whom the hazard and danger might, in some sort, concern, as well as himself. Hereupon a meeting was appointed at Coblentz, December 13, 1534.

After an assault made upon the city to no purpose, John of Leyden composes himself to a sound sleep, and there, forsooth, he dreams for three days: being wakened, he vouchsafes no man a word, but makes signs for paper, and therein he writes down the names of twelve men, and, amongst them, some of the best gentry that were left; these were now to govern the commonwealth in chief, and to have the ruling of all in his Israel. Now, when, by means of this reverend jury, he had made way to become King himself, he proposes to the teachers some certain tenets of his own devising, which he requires to have confuted by them by testimonies out of scripture, which, if they could not do, he would then commend them to the multitude to be approved of and established; the chief of them was this, That a man is not bound to one wife; and, that a man may have in marriage as many wives as he pleased. But, when the teachers seemed to oppugn this his opinion, he calls them all into the court, and that in presence of his twelve men; here in a general assembly he plucks off his cloke, and, flinging it upon the ground, together with his New Testament, he swears, and bears witness by these tokens, that his doctrine, that he had caused to be published, was revealed unto him from heaven, and, in terrible words, threatens them with the heavy displeasure of God, in case they consented not. At length they agreed, and the worthy teachers, for three days together, preached of nothing but matrimony. So he, on the sudden, got him three wives, whereof one was the great prophet's, John Matthews, whom we spoke of before. There were others, likewise, that followed his example, so that at length it came to be a matter of the greatest credit, to have many wives; but some of the citizens were mightily displeased hereat; and, giving notice one to another through

the city, they called together all such as loved the Gospel, into the market place, where they apprehended the prophet and Knipperdoling, and all the rest of the teachers; which was no sooner known, but the common people broke in straight with arms to their rescue, killing out of hand about fifty of the citizens, with several torments: some they bound to trees, and others to stakes, and so shot them, whilst the chief prophet cried aloud, That they that made the first shot at them did God very pleasing service; the rest they put to other manner of deaths, but all savouring of exact cruelty.

Towards the end of June, there arose another new prophet, a goldsmith; he, calling the whole multitude together into the market place, acquaints them all, That it was the will and command of their heavenly Father, that John of Leyden should be made King of the whole world; and that, setting forth with mighty forces, he should promiscuously slay all the Kings and princes upon earth, only he should spare the common people; that is, such as had loved justice and truth; and should, at length, sit on the throne of his father David, till such time as the Father should again require the kingdom at his hands; that, in the mean while, the ungodly being every where suppressed, and utterly destroyed, the righteous generation only should reign in this life. This was no sooner proclaimed in publick, but John of Leyden straightway fell down upon his knees, and, lifting up his hands to heaven, Men and brethren, quoth he, I have had, these many days since, all this revealed unto me, and was, myself, very unwilling to have it made known, but now, to confirm it, the heavenly Father hath made use of another minister. Thus he became King: The first thing he did was, to abrogate the authority of his twelve men he had chosen; and, as the fashion of Kings is, he makes choice of his peerage and nobility to attend him: He commands, likewise, two crowns to be made him, besides a scabbard, chain, and scepter, and other ornaments of royal Majesty, and all of the purest and choicest gold. Then he appoints set days, on which he would hear all kinds of suits and complaints that should be brought before him. As often as he came abroad, he was attended by his officers and chosen nobility; next unto him followed a couple of youths, both on horseback; he on the right-hand carried the crown and bible, the other bore a naked sword; his chief wife went in the same pomp and state, for I told you he had many at the same time. In the market place he had a throne raised for him, all covered with cloth of gold. All actions and complaints, which were brought before him, were, for the most part, concerning wives and divorces, and these were wondrous often, insomuch that many, that had lived to a good age one with another, came now to be parted for being man and wife. It happened, as the people stood in the market-place, thick and close together in the croud, to hear, that Knipperdoling getting up upon their backs and heads, and creeping along on his hands and knees amongst them, and breathing in their faces, would say to every one as he passed, The Father hath sanctified thee; receive the Holy Ghost. On another day, dancing in the King's presence (for so we must now call John of Leyden) Thus was I wont, says he, in former times, to dance with my whore; but now the Father hath commanded me to perform the same in sight of

the King. Being troublesome, not knowing when to make an end, the King went his ways displeased: then gets he into the chair of state, and plays the King too, till the other returning in the interim quite turned him out of his seat, and so into prison for three days.

During the siege they wrote a book, and published it, calling it, *The RESTITUTION*. Among other matters in this book they maintain, That the kingdom of Christ shall be such here on earth, before the final day of judgment, that the godly and elect shall reign, the wicked every where being quite destroyed and consumed. They say also, That it is lawful for the people to depose their magistrates: also, although they had no express command from the Apostles, for the usurping such jurisdiction, yet they, who were now ministers of the church, ought to assume to themselves the power of the sword, and by force to constitute a new form of a commonwealth. Moreover, that none, except he be a true Christian indeed, ought to be endured in the church. And more yet, that none can possibly be saved, that brings not in all he hath into the publick, reserving nothing for his private possession. Luther and the pope of Rome they term to be false prophets, but Luther to be far worse than the other. Marriage also they esteemed to be polluted and impure, where the parties were not enlightened with true faith, accounting it no better than fornication, or flat adultery. These fond opinions of theirs have specially been confuted by Melancthon, Justus, Menius, and Urban King, and that learnedly and at large, in their several writings on this subject.

After some weeks, the new prophet, that I told you of, blows a trumpet through every street of the city, and commands all the people to appear armed before the cathedral church-doors, for that they intended now to drive away the enemy from before the city; and, being come thither, they found good cheer ready prepared and dressed: whereupon they sat down, as they were bid, some four-thousand of them; and, after them, some thousands more feasted, who had been in the mean while upon the watch. The King and queen, with their followers, were the chief waiters at this feast. Having eaten their meat, and almost made an end of their good cheer, the King comes and gives every one of them bread, with these words: Take ye, eat ye, declare ye the death of the Lord. Then the queen, taking the cup, gave it about, saying, Drink ye, and declare ye the death of the Lord. After this, the prophet beforementioned gets up into a pulpit, and thence he asks the people, Whether they would obey the word of God, or not? Then they all affirmed, They would. It is the command, said he then, of our Father, That some teachers of the word, about twenty-eight, should be sent abroad, who, going forth to the four corners of the world, should preach the same doctrine which is taught in this city. Upon this, he names such as should go, and appoints them which way they should steer their course. To Osnabrug were sent six; as many to Warendorf; to Lusatia eight, and as many more to Cosfield. After this, the King and Queen supped with the rest of their officers, and them that were designed to be sent abroad. In the midst of supper the King rises, pretending he had forgotten some weighty business given him in charge by the Father. By chance they had a soldier in their hands lately taken; to him the King goes, and accuses him of treason, as it were

another Judas, and himself cuts off his head; then he comes again to supper, and here he relates his bloody deed, passing it over with a jest. After supper, they that were appointed were sent away about shutting in of night. Besides provision for their journies, every one had a piece of gold given him, which they were commanded to leave in those places that would not admit of their doctrine, as a testimony of their ensuing destruction, and everlasting perdition, for their refusal of peace and so wholesome doctrine.

When they were come to the several places whither they were directed, they first raised a great cry every-where about the town, warning all men in general to repent, threatening destruction to them otherwise in a short time. This plain trick effecting nothing, they took their clokes, and spread them on the ground before the magistrates, casting thereon the money which had been delivered to them; then, assuring them they were sent by God the Father, they freely offered them peace; which if they would entertain, they must bring together and communicate all their possessions: If they refused this proffer of theirs, that then the piece of money should remain, as a token to witness against their heinous unthankfulness and unbelief; for that now the time was come, foretold by all the prophets, wherein God would have justice to be observed over the whole face of the earth: And, when their King should, by the diligent execution of his office, have brought matters to that pass, that justice might reign every-where, that then Christ would again deliver up the kingdom to his Father. Upon this their wild preaching they were apprehended, and at first dealt with in a friendly manner; but, this doing no good upon them, they were afterwards questioned upon the rack concerning their faith and course of life, as also concerning the strength of the city. But their answers were, that they only were the men, whose doctrine was true; which likewise they would make good with the very hazard of their lives; for that, since the Apostles age hitherto, the word of God was never taught aright, nor any justice to be found among men: That there had been but four prophets in all since Christ; whereof two were just ones, David and John of Leyden; and the other two unjust ones, the Pope and Luther, but, of the two, Luther the worst. Being questioned, why they forced innocent men out of the city, and from their estates, contrary to their agreement, and promise passed unto them, taking into their possession their wives, children, and all they had? And by what places of scripture they could defend this justice, forsooth, of theirs? To this they replied, that the time was now come, wherein Christ had promised that the meek should possess the earth: That so of old God gave to the Israelites all the goods of the Egyptians. Afterwards, being examined concerning the forces and store of corn they had in the city, and withal about their wives, they made several answers, but, to the last, that most of them had above five. Moreover, that they daily expected fresh forces from Friesland and Holland; that, as soon as they came, their King would issue forth with all his army to conquer the whole world, and slay those Kings who had not administered judgment and justice. After their trial, when as yet they would not acknowledge any other magistrate, saving their own King, but persisted stubborn in their

own wilful humour, they were all of them beheaded, but one who by chance made his escape.

But now the city was so streightly besieged, that there was no passage out left any where; therefore the citizens, fearing a famine, and apprehending the danger they were in, entered into a consultation of laying hands upon the King, and delivering him up bound to the bishop. But the King, having notice given him thereof, chose out twelve from among all the multitude, who, he imagined, would prove most faithful to him: to these he committed the chief care and charge of the city, assigning them every one their particular place to defend; besides these, he appointed himself a guard to suppress all kinds of commotions and seditions, that might arise among them. Having done this, calling the whole multitude before him, he promises them, they should be freed from the siege, and all kinds of want which might ensue thereupon, before Easter next. But, for his twelve commanders, to them he promises far greater matters: they, forsooth, should be marquisses, and dukes, and princes, and I know not what, assigning them every one their provinces by name, what signiories and castles they should be made lords of, resolving only to spare the Landgrave, for that he hoped, as he told them, that he in time should come to be one of themselves.

We told you before, that there was a meeting ordered of the princes and cities of the Rhenish provinces at Coblentz in December. John Frederick, the prince elector of Saxony, came of his own accord to this assembly. After deliberation, speedy aids were assigned to the bishop; three-hundred horse, and three-thousand foot, for three months. These forces and the managing of the whole war were committed to Wirich, Count Oberstein, as general. Here also they agreed, that other states of the empire should likewise be solicited for aids; and, because the emperor was himself in Spain, that Ferdinand, therefore, the King of the Romans, should be requested, that a publick dyet, upon this occasion, might be appointed against April following. Then they sent letters, earnestly advising the besieged to yield themselves up, and to desist from an enterprise, than which the sun itself never beheld any more detestable, and to be abhorred; withal, threatening them, unless they did obey, and submit themselves to their lawful magistrates, that the bishop who now besieged them, and whose rights they detained, should not want the assistance of the whole empire, for his just relief, and redress of his losses. This was about the end of December.

They returned an answer towards the middle of January, 1535, and that in many words, but nothing to the purpose; yet so, that they still justified and maintained what they did. As for what they were charged withal, about setting up a King, they made no answer at all to that. But in their private letters to the Landgrave, they endeavour to excuse it, adding moreover many things else concerning the utter destruction of all the ungodly; and of the deliverance and kingdom of the godly in this life. Withal they sent to him the book I told you before they published, entitled, 'The Restitution,' counselling him to repent, and not, as the other ungodly princes, to make war against them, who were innocent men, and the very people of God. The Landgrave having

perused, as well their book as their letters, and himself noting down with his own hand what he conceived amiss therein, he orders his own divines to make answer thereunto. And, because themselves had signified unto him in their letters, although but in few words, and that too, somewhat obscurely, that the King was not so much set up by themselves, as appointed and placed over by God himself, he demands of them; Why they urged not those places of scripture, upon the authority of which they imagined it lawful for them so to do; withal, what forerunning signs and prodigies they had to prove and make it good by? For that God by all his prophets, long before-hand, foretold of the coming of Christ; and that with that evidence and plainness, that not only the tribe or stock of which he should be descended was manifestly expressed, but also the very time and place where he should be born. They had desired likewise in the same letters, that their cause might have a fair hearing; whereunto the Landgrave answered, That there was now no place left for that, seeing that they had assumed to themselves the power of the sword, and had been the authors of so much mischief and calamity that every body began now plainly to perceive what was their main drift and aim, the suppressing of all laws, the overthrow and utter ruin of commonwealths. And that as their attempt, for the main of it, was altogether ungodly and execrable; so this their request, to have a fair hearing of their cause, was wholly feigned and counterfeit. That for his part, he had formerly sent unto them faithful ministers of the gospel, by whom, without all question, they had been rightly instructed. But whereas they now, rejecting the wholesome doctrine of such teachers, had fallen from their obedience to the magistrate; had with violent hands seized upon the goods and possessions of their neighbours; had taken to themselves variety and choice of wives; had elected and set up a new King among them; had denied that Christ had taken on him human nature, from the Virgin Mary; had maintained and asserted the freedom of man's will; had forcibly constrained the people to a communication of their goods in publick; had denied pardon and absolution to lapsed sinners; that in all these they had foully violated the laws, as well human as divine.

They having received this answer from the Landgrave made their reply, and withal sent him a book, composed and written in the High Dutch, concerning the mysteries of scripture. And in their letter they set a fair and specious gloss upon their own cause, together with a defence and justification of their opinions. But in their book we spoke of, they made a division of the course and succession of all times, of the whole world, into three parts or ages: That the first world, from Adam to Noah, perished indeed by the deluge of waters: that the second, which is that wherein we now live, shall be destroyed by fire: but their third, and new world, which they maintain shall be hereafter, is that, wherein righteousness and justice shall bear the sway; but before this last shall begin to dawn, and shed its light in the eyes of men, it must necessarily be, that this old one, that now is, be first purged by fire; which shall not be neither, before Antichrist is revealed, and his power utterly suppressed and trodden

down under foot. That then it shall come to pass, that the throne of David, which was cast down, shall be reared up again and established; and Christ shall again receive his kingdom here upon earth, and so shall all the sayings of the prophets be accomplished. That this present world is like the age, wherein Esau had the power and sway in his hands; for that now righteousness and equity are put to silence, and the godly ones only afflicted: but as from the Babylonish captivity, so from the great miseries and calamities of this present age, there shall at length appear a day of ransom and restitution, a day of freedom and liberty, for the righteous; wherein the wicked shall abundantly receive the reward of all they have done maliciously against the saints of God, as is foretold and threatened in the Revelation. Now this Restitution is to happen immediately before this blessed age of the world, which is yet to come; so that, all the ungodly and wicked ones being suppressed all the world over, the seat and dwelling-place of justice shall be adorned and beautified. The Landgrave, having perused this book of theirs, employs some of his own ministers to write and publish an answer against it.

There was a meeting of some cities of the empire at Esling, who among themselves made a decree and agreement, that those who formerly met at Coblentz had no power or right to impose any burthens upon them, for that the consent and authority, or the emperor and all the states of the empire were to be required therein. Whereupon they wholly reject that order, promising mutual aid and assistance among themselves, in case any one of them should be called in question, or endangered hereby. Withal they make remonstrance, that whatsoever should be ordered and decreed by the publick convention of the princes and states of the empire, in a lawful manner, in behalf of the commonwealth, that therein they would most readily express their duty.

Now in February, there happening a great penury and scarcity of corn, insomuch that many perished by reason of hunger and want; one of the queens, pitying the sad condition of the people, in her discourse to her companions, expressed her mind so far, that she could not once think it, that it was the good will and pleasure of God, that poor people should daily be destroyed in this manner, for lack of food. The King, who had his store-houses sufficiently replenished, not only for necessity and use, but even for riot, having notice given him hereof, brings her forth into the market-place, together with his other queens, and commandiag her to kneel down, straightway he strikes off her head, disgracing her dead body, as if she had been some common strumpet. The rest of them applaud the action, giving thanks to their heavenly father, upon which the King fell a dancing, encouraging the people also, who had nothing left them, but bread and salt, to dance likewise, and to be merry.

Easter being now come, and no sign of deliverance yet appearing, the King who had made them many glorious promises, to devise something, whereby to excuse himself to the people, for six days together, counterfeits himself sick: after this he comes abroad into the market-place, and there he tells them, how he had been riding upon a blind

ass, and that the father had laid upon him the heavy burden of all their sins; that now therefore they were become clean, washed and purified from all their offences. And that this was that deliverance, which he had promised them, and that herewith they ought all to remain contented.

Among other things, which about this time Luther published in the High Dutch: Alas! saith he, what, or how shall I complain, and bewail the sad condition of these wretched and forlorn men? Most certain it is, that evil spirits in abundance have taken up here their habitation and residence. Howsoever, we ought deservedly to praise the infinite mercy and goodness of God herein. For although, by reason of the contempt of the gospel, and the reproach of God's name, and the effusion of godly men's blood, Germany hath deserved to suffer the fierce wrath and displeasure of God; yet, for all that, he did restrain the rage and furious attempts of Satan, and suffered him not to go on with full swing and career; but, in mercy, gave us gentle warning and admonition: And especially, by this tragedy or play of Munster, which had but little skill, or cunning in it, he fairly invited and called us to the amendment of our lives. For without all doubt, except God had held him in with a strong bridle, he being so subtle a spirit, and so much his crafts-master, had certainly acted his part, in a far more dangerous manner. But now, seeing the goodness of God had curbed him in, and abated his power, he rages not, and plays his pranks, according to his own will and desire, but only so far as the divine permission had given him leave. For this evil spirit, all whose endeavour is to subvert the christian faith, would not likely make use of such means as to persuade the marriage of many wives at once, thereby to effect and bring about what he aimed at; because the heinousness and foulness of the thing itself, being confessed on all hands, he knew full well how all men, not yet bereft of their right reason, would abominate it, and cry it down with shame. The civil polity, indeed, and government, may, in some sort, be troubled and shaken hereby; but Christ's kingdom must be assaulted by other kind of battery than this. He that will undertake to inveigle, and draw men into snares, must by no means affect empire and command, much less act the tyrant. This being detested alike by all men, and all eyes being broad open to observe and interpret, whereto such counsels tend; they must go to work by more hidden means, as it were by-way paths, if they intend their designs shall obtain the wished for issue, and take effect. A sordid and uncouth attire; a behaviour of the countenance, to composedness and austerity; a hanging of the head, with dejected looks; frequent fastings, and an utter refusal of the very touch of money; abstinence from flesh-meats and marriage; a denial of obedience to magistrates, and a general disrespect to all kind of temporal, or civil dominion, with an outward profession, however, of extraordinary humility in themselves: By these means indeed, and by such close policy as this, even wise men have been overreached; and, by such dark and mysterious courses, some have made a way and entrance to great sway and power. But, as here, by extreme impudence, to arrogate and usurp the power of a king, and, ac-

cording to the unruliness of unbounded lust, to take away wives; that this was the trick of some shallow and untaught devil, or else, if he had all his cunning and sleights about him, that he was so fettered and chained by an over-mastering power, that he could not make use of his tricks at his own pleasure. Which, no doubt, God does to no other end, than that we should entertain a more reverential respect of the Divine Providence, and be the sooner excited to repentance, and amendment of our ways, before God give him liberty for the full exercise of his practices; who certainly then will set upon us, with redoubled forces. For if this same poor and contemptible scribe-devil can of himself raise such tumults and uproars; What shall we do, when the great devil himself, with all his knowledge and arts about him, shall come with full sail against us, and give us a broadside, being both a cunning lawyer, and a crafty divine? Wherefore, no such great fear, or thought, ought to be entertained concerning this so untrimmed and untutored a devil. Besides, I am fully persuaded, that this pageant and mock-show is not so well approved of by all in the city, but that it occasions great grief, and sad thoughts of heart, to most there; who no doubt, with tears and sighs, daily petition for, and expect a deliverance from God's hands, as formerly happened in that tumultuary insurrection of the rusticks, and ill-advised people, lately among us. And I could wish from my heart, that there were no spirit in the whole world more cunning and crafty than is this Munster devil: For, so long as God doth not quite take away his word and gospel from among us, there can certainly be but few, and those not very wise, who will suffer themselves to be drawn away, by so sottish and unsober a master. Notwithstanding, I must confess, that, when the wrath and anger of God is kindled against any people, there is no error so unreasonable or absurd, which the devil cannot easily persuade them unto; as we plainly see, it happened in the doctrine of Mahomet. For, though the whole composition and frame thereof be but a continued piece of extreme folly and sensuality, yet upon the removal, or rather putting out of the divine light of God's Word among them, it assumed to itself that strength and vigour, and spread itself to that large extent and power, which, at this day, Christendom beholds and witnesses, with no less wonderment than shame. And indeed, except God had, by his goodness and providence, repressed the attempts and insolencies of Munster, Germany had now been in no better a condition. For although the devil, by God's permission, can sometimes blow a small spark into a general flame, and wild-fire; however there is no more compendious way of extinguishing it, than by the word of God. For, seeing all the armour of our enemy is incorporeal and spiritual, it is not troops of horses, or other warlike preparations, that can quell and overcome him. Now, as for those books written, and published by them of Munster, wherein in lively colours, they paint, and set forth to view, their own folly and madness. In the first place, their doctrines contain in them extreme fopperies and absurdities; and that in matters of faith. For speaking of Christ, they say, he is not sprung of the seed of the Virgin Mary, to use their own words; although they confess him to come of the seed of David. Here

they unfold not the matter sufficiently, as it requires. And certainly the devil herein conceals some monstrous mystery, for his own ends, intimating unto us, and that too not obscurely, that the seed or flesh of Mary cannot deliver and save us. But he loses his labour! For the scripture tells us, that Christ was born of the Virgin Mary, which word, in all languages, is understood of the child, which, being conceived and fashioned of the flesh of the mother, is brought forth into the world. Again, whereas they condemn former baptism, as profane and unholy, therein also they shew their little skill. For they conceive and think of it, not as a thing of God's appointment, but only as the work of man. Wherefore, if whatsoever the wicked confer, or receive, ought thus to be slighted and rejected; I wonder indeed, why they also refuse not, and fling away, gold and silver, and other treasures, plundered from the ungodly; and devise not, and coin for themselves, some new invented materials; for baptism is the work and creature of God, as well as all these. When an ungodly man swears, he does wrong to the name of God; but, if the name of God be not a true name to him, he offends not. He that robs or steals, or commits rapine, breaks the law of God; but, if the law be not a true law to him, he trespasses not. So also, if the former baptism be nothing, neither do they sin any thing, that are baptised therewith. Why, therefore, do they detest this baptism, as an ungodly thing, when, according to their own confession, it is nothing? If the marriages of former times are, as they say, to be accounted for fornication and adultery, seeing they were contracted, as they will have it, by those that wanted faith; Do not they, I pray you, confess themselves to be the children of harlots? Now, if they be illegitimate, and bastards, I would fain know, by what right, they come to inherit, and enjoy the privilege of those places they live in? Truly it would be but reason, seeing they are such, that they should be made incapable of inheriting; and that, in this their new way of marriage, they should find themselves, also, some new means and possessions, which, at least, may have a fairer and honester title. For it is not seemly, methinks, that such good and godly men, forsooth, should maintain themselves upon such whorish and unlawfully gotten goods; or else be forced, poor souls! by plain violence and robbery, to pillage and plunder from others. As for that ridiculous kingdom of theirs, which they dream of, there are so many, and so manifest impieties in this one business alone, that I need not make any more words of it; and indeed, perhaps, what I have already said concerning it may be thought unnecessary, and too much; especially, seeing the whole subject thereof hath abundantly enough been discussed, and laid open, by the labours of other men.

At the dyet, which, at the request of the princes of the empire, Ferdinand, King of the Romans, held by his deputies at Worms in April, the cities, which hitherto had contributed no monies to the war, in the first place, made their protestation, that they appeared not here, out of any consideration of the decree passed at Coblentz; but out of obedience to the emperor, and King Ferdinand. Whereupon there happened a great debate between them and the princes, about the contribution. At length, supplies were appointed for five months, and twenty thou

sand crowns ordered to be paid in monthly. Likewise it was decreed, that, upon storming or taking in of the city, the innocent people should be spared; and that honest men, who were either kept in by the siege, or had formerly quitted the place, should have their goods restored them. Upon the publishing of this decree, the Bishop of Munster delivers over his army to the command of Oberstein. But, these publick sums being negligently collected, and indeed, not before it was too late, the general was not able to perform any extraordinary service. Besides, the commanders, in a general mutiny of the soldiers, for want of pay, were many times brought in hazard of their lives.

But, when things were brought to that wretched and lamentable pass, within the city, that very many died daily of the famine; and many also stole away, and escaped from thence, but so starved and spent with hunger, that they were pitied by their very enemies, into whose hands they fell: The commanders persuaded, and promised the townsmen, that if they would deliver up their King, and some few more besides, they should be excused from all particular, as well damage and danger. The citizens, although they were wonderous willing so to do, yet deterred by the cruelty and watchfulness of their King, they durst not attempt any thing: For he, for his part, was so resolute and obstinate, that so long as any thing was left, whereupon himself and some few others might be kept alive, he never intended to yield up the town: The commanders therefore, in the army, send to them the second time, and forewarn them, that they send out no more, no not so much as women, or children. This was the first of June.

Next day, they of the town return an answer; complaining, that they could not be admitted to a lawful hearing; adding withal, how hardly and grievously they were dealt with, and that without any deserving on their parts at all: That, if any body would take upon him to demonstrate their error, they would be ready in all dutiful manner to acknowledge it. Then they expound a place in Daniel, Dan. vii. 7, concerning the fourth beast, which was far the fiercest of all the rest. But their letters ended with this close, That, by the help and assistance of God, they would continue in the confession of that truth, which hitherto they had maintained. Now all this was penned according as the King had appointed and directed it.

Things in the city being brought to this extremity, and, as it were, to the last cast, there were two men, who had made an escape thence, who falling into the soldiers hands, one of them, passing his own word for his faithfulness, was suffered to go to the bishop; and both of them set down a way how to gain the city. Oberstein and the bishop, having heard what these fugitives could say, entered into counsel thereupon, and, June the twenty-second, demanding a treaty with the townsmen, they exhort and persuade them to yield themselves, and save alive the multitude, which by this time was ready to perish with famine. They, their King being present, made answer by Rotman; but so, as that they meant not to forego their former resolution.

Two days after, about eleven of the clock at night, Oberstein, without any noise, draws up some of his forces close to the city, and, by

- means of one of the fugitives, some soldiers chosen of purpose, creeping along the trench, at length got into their works, killing the *Corps du guard*; others followed close at their heels, and, finding a small gate open, some five-hundred of them, with some officers and colours, got into the city. But the townsmen gathering into a body stopped the passage, that the rest could not break in; and yet with much ado it was that they kept them out. So making good the gate again, they straightway assaulted them that first made the breach and entry, and slew many of them. Thus, for an hour or two, there continued an eager skirmish on both sides. But they that were shut in, finding by chance another gate, with no strong guard at it, forced it open, and so made an entrance for their fellows, who presently broke in like a sea: Howsoever, at first the townsmen made head against them, fortifying themselves in the market-place: But at length despairing, having lost many of their men at the first encounter, they all cried out for quarter, which was readily granted them. At this very bout the King and Knipperdoling were taken; Rotman, forsaking all hopes of life, and running desperately into the thickest of the enemies, was slain, utterly refusing to trust himself alive into their hands.

The city thus taken, the bishop seized upon half the booty, and the ammunition belonging to it: And so dismissing the army, he only reserved two companies, as a guard for his own person.

There was this year, in July, another Dyet also of the empire held at Worms, wherein King Ferdinand, by his deputies, made a motion, that, now the city was taken, the anabaptists, through the whole empire, should every where be destroyed and made away: Also, that the princes would move the Pope of Rome for a general-council. They made reply, That order had been taken by former edicts, what was thought fit to be done with the anabaptists; And as for a general council, that the emperor himself had divers times solicited the pope therein; and that therefore, for their parts, they could say no more to it. At the same meeting, the Bishop of Munster demanded reparation of damages, and the costs he had been at during the war, complaining withal, that the monies agreed upon had not as yet been paid in to him.

When nothing could certainly be determined of, there being but few of the princes and states there present, another Dyet was appointed there, to begin the next November following, where then should be a full hearing, both concerning the account and expences of the war; and also it should be determined, what form of government should be established in the city for the time to come. When the appointed day was come, King Ferdinand's ambassador first relates, and makes known the causes of this present assembly, and moves, among other things, that they would conclude upon an agreement, that the city now lately regained might continue, and enjoy its former religion. The bishop's agent lays open and declares, how great charges and expences he had been at for the whole time of the war; how great a debt he had contracted thereby; how having regained the city, to prevent more stir and danger, he was constrained to raise two fortresses within it, and to put

garisons in them; of all which he desired that a speedy consideration might be had. Hereto answer was made, That the bishop had taken into his hands, as well the greater part of the booty, and all the ammunition, as the citizens goods; all which belonged to the common right of the empire; that it was fitting an even estimate being made, that all this should be considered in the bill, and account of his expences; and what else was desired should have a reasonable and fair consideration had of it. Next it was determined, that the Bishoprick of Munster should be at the disposing of the empire, according to the ancient custom: That all the nobility, gentry, and citizens, except such as were anabaptists, should be suffered to return, and freely to enjoy their own: That the bishop should order matters of religion, according to the decrees of the empire: That at the spring next ensuing, the agents of the several states and princes should meet at Munster, and there, taking examination of the citizens behaviour, should acquit the innocent; and level all such forts and works, as the anabaptists had raised: That the bishop likewise should raze those fortresses he had built, and should with all convenient speed deliver out of custody, and punish according to their demerits, the King, Knipperdoling, and Crechting, who were his prisoners.

As for the decree about the exercise of religion, the Elector of Saxony, the Landgrave, the Princes of Wittenberg, and Anhalt, openly declared, and protested, against any assent thereto: Some cities likewise did the same; neither would they agree to the laying level of the old works about the city; as for demolishing those lately raised, they made no great matter of that. The King and his two fellow prisoners were led up and down the town in sight of the princes; and that more for sport, and pastime, than for any thing else. Upon this occasion, and opportunity, the ministers that came along with the Landgrave, entered into discourse with the King, and disputed with him, concerning some of his opinions; as about the kingdom of Christ, and the civil magistrate, concerning justification, and baptism; of the Supper of the Lord, the incarnation of Christ, and of marriage; and by the testimonies of holy scriptures they did so much good upon him, that though they could not wholly alter him, he, with some reluctancy, still defending his own; yet they so weakened him, and turned him, that at length he in a manner generally yielded unto them, which some thought, he did more out of a hope to save his life, than that he was thoroughly convinced by their arguments: For the second time they came to visit him, he made them promise, that so he might receive his pardon, he would bring the business so about, that all the anabaptists who were in Holland, Brabant, England, and Friesland, in great numbers, should be hushed and silenced, and in all respects yield obedience to the magistrate. Then they disputed with his companions, both face to face, and by writing, concerning mortification, the baptism of infants, the communion of goods, and of the kingdom of Christ.

When they were brought to Telget, the King being demanded by the bishop, By what authority he had arrogated and assumed to himself such power and licence over his city and people? The king demanded

likewise of him again, How he came by any such command, or right of possession? The bishop replying, That he had it conferred upon him, by the consent of the prince and people; Why and I, answered the King, was called thereto by God himself. The eighteenth of January, they were brought back again to Munster, and every one committed a-part to several custody. The same day also came the bishop thither, together with the Archbishop of Cologne, and the ambassadors of the Duke of Cleves. The two days following were wholly spent in wholesome and godly admonitions used unto them, to reduce them from their idle conceits. And the King indeed acknowledged his offences, and sought to Christ, by prayers, for the forgiveness of his sins. But the other two would by no means confess any fault, but continued with a great deal of obstinacy maintaining their errors. The next day the King was brought forth unto an high place, raised from the ground, and there tied to a stake. Here two executioners tore his flesh with red-hot pincers. For the three first plucks he was silent, and made no great expression of what torment he felt; but afterwards incessantly, with a great deal of vehemency, he besought God for mercy and pardon. Having been tortured and torn in this manner, for a whole hour and more, he was at length run through the breast with a sword, and so died.

His two companions were put to the same torment and execution. Their dead bodies were trussed up in iron hoops, and hung out for the publick view, from the highest tower in all the city, the King indeed in the middle; but so, as that he hung the full height of a man above the other two.

And thus Knipperdoling found his own prophecy made good again; and that too in regard of the second part of it.

Καὶ λίην κείνός γε ἔοικότι κείται ὀλέθρῳ
ὥς ἀπόλοιτο καὶ ἄλλος ὅτις τοιαῦτά γε ῥέζει.
Οἰ.α.

THE
 ARCHBISHOP OF CANTERBURY'S SPEECH;
 OR, HIS FUNERAL SERMON,

Preached by himself on the scaffold on Tower-hill, on Friday the Tenth of January, 1644, upon Hebrews xii. 1, 2. Also, the prayers which he used at the same time and place before his execution. All faithfully written by John Hinde, whom the Archbishop beseeched that he would not let any wrong be done him by any phrase in false copies.

Licensed and entered according to Order.

London, printed by Peter Cole, at the sign of the Printing-press in Cornhill, near the Royal-Exchange, over-against Pope's-Head-alley, 1644. Quarto, containing twenty pages.

Hebrews xii. 1, 2.

Let us run with patience the race that is set before us, looking unto Jesus the author and finisher of our faith; who, for the joy that was set before him, endured the cross, despising the shame, and is set down at the right hand of the throne of God.

Good People,

YOU will pardon my old memory, and upon so sad occasions as I am come to this place, to make use of my papers; I dare not trust myself otherwise.

Good People,

This is a very uncomfortable place to preach in, and yet I shall begin with a text of scripture in the twelfth of the Hebrews:

‘Let us run with patience the race that is set before us; looking unto Jesus the author and finisher of our faith; who, for the joy that was set before him, endured the cross, despising the shame, and is set down at the right hand of the throne of God.’

I have been long in my race, and how I have looked unto Jesus, the author and finisher of my faith, is best known to him: I am now come to the end of my race, and here I find the cross, a death of shame, but the shame must be despised, or there is no coming to the right hand of God: Jesus despised the shame for me, and, God forbid, but I should despise the shame for him. I am going a-pace, as you see, towards the Red Sea, and my feet are upon the very brinks of it, an argument, I hope, that God is bringing me to the land of promise, for that was the

way by which of old he led his people: But, before they came to the sea, he instituted a passover for them, a Lamb it was, but it was to be eaten with very sowre herbs, as in the twelfth of Exodus.

I shall obey, and labour to digest the sowre herbs, as well as the lamb, and I shall remember that it is the Lord's passover: I shall not think of the herbs, nor be angry with the hands which gathered them, but look up only to him who instituted the one, and governeth the other; for men can have no more power over me, than that which is given them from above. I am not in love with this passage through the Red Sea, for I have the weakness and infirmity of flesh and blood in me, and I have prayed, as my Saviour taught me, and exampled me, *Ut transiret calix ista*.

That this cup of red wine might pass away from me; but, since it is not that my will may, his will be done; and I shall most willingly drink of this cup, as deep as he pleases, and enter into this sea, Ay, and pass through it, in the way that he shall be pleased to lead me.

And yet, good people, it would be remembered, That, when the servants of God, old Israel, were in this boisterous Sea; and Aaron with them, the Egyptians that persecuted them, and did, in a manner, drive them into that sea, were drowned in the same waters, while they were in pursuit of them: I know my God, whom I serve, is as able to deliver me from this sea of blood, as he was to deliver the three children from the furnace, Dan. iii.

And I most humbly thank my Saviour for it, my resolution is now, as theirs was then; their resolution was, They would not worship the image, which the King had set up; nor shall I, the imaginations, which the people are setting up, nor will I forsake the temple, and the truth of God, to follow the bleating of Jeroboam's calves, in Dan and in Bethel.

And I pray God, bless all this people, and open their eyes, that they may see the right way; for, if it fall out, that the blind lead the blind, doubtless, they will both fall into the ditch: For myself, I am, and I acknowledge it in all humility, a most grievous sinner, many ways, by thought, word, and deed, and therefore I cannot doubt, but that God hath mercy in store for me, a poor penitent, as well as for other sinners: I have, upon this sad occasion, ransacked every corner of my heart, and yet, I thank God, I have not found any of my sins that are there, any sins now deserving death by any known law of this kingdom; and yet, thereby, I charge nothing upon my judges (I humbly beseech you, I may rightly be understood, I charge nothing, in the least degree, upon my judges) for they are to proceed by proof, by valuable witnesses, and, in that way, I, or any innocent in the world, may justly be condemned: And, I thank God, though, the weight of the sentence lie very heavy upon me, yet, I am as quiet within, as (I thank Christ for it) I ever was in my life: And though I am not only the first archbishop, but the first man, that ever died in this way; yet some of my predecessors have gone this way, though not by this means: For Elfegus was hurried away, and lost his head by the Danes; and Simon Sudbury, in the fury of Wat Tyler and his fellows; and, long before these, St. John Baptist had his head danced off by a leud woman; and St. Cyprian, Archbishop

of Carthage, submitted his head to a persecuting sword. Many examples great and good, and they teach me patience, for I hope, my cause in heaven will look of another dye, than the colour that is put upon it here upon earth; and some comfort it is to me, not only that I go the way of these great men, in their several generations, but also, that my charge (if I may not be partial) looks somewhat like that against St. Paul, in the twenty-fifth of the Acts, for he was accused for the law and the temple, that is, the law and religion; and, like that of St. Stephen, in the sixth of the Acts, for breaking the ordinances, which Moses gave us, which ordinances were law and religion; but, you will say, Do I then compare myself with the integrity of St. Paul, and St. Stephen? No, God forbid, far be it from me; I only raise a comfort to myself, that these great saints and servants of God were thus laid up in their several times: And it is very memorable, that St. Paul, who was one of them, and a great one, that helped on the accusation against St. Stephen, fell afterwards into the self-same accusation on himself, yet, both of them great saints and servants of God: Ay, but, perhaps, a great clamour there is, that I would have brought in popery; I shall answer that more fully, by and by; in the mean time, you know what the Pharisees said against Christ himself, in the eleventh of John, 'If we let him alone, all men will believe on him, *Et venient Romani*, and the Romans will come, and take away both our place, and the nation. Here was a causeless cry against Christ, that the Romans would come; and see how just the judgment of God was, they crucified Christ, for fear lest the Romans should come, and his death was that, that brought in the Romans upon them, God punishing them with that which they most feared; and, I pray God, this clamour of *Veniunt Romani* (of which I have given, to my knowledge, no just cause) help not to bring him in; for the pope never had such a harvest in England, since the reformation, as he hath now upon the sects and divisions that are amongst us; in the mean time, by honour and dishonour, by good report and evil report, as a deceiver, and yet true, am I now passing out of this world.

Some particulars, also, I think not amiss to speak of: And first this I shall be bold to speak of the King, our gracious sovereign, he hath been much traduced by some, for labouring to bring in popery; but, upon my conscience (of which, I am now going to give God a present account) I know him to be as free from this charge, I think, as any man living, and I hold him to be as sound a protestant, according to the religion by law established, as any man in this kingdom, and that he will venture his life, as far and as freely, for it; and I think, I do or should know both his affection to religion, and his grounds upon which that affection is built, as fully as any man in England.

The second particular is, concerning this great and populous city, which God bless; here hath been, of late, a fashion taken up to gather hands, and then go to the honourable and great court of the kingdom, the parliament, and clamour for justice, as if that great and wise court (before whom, the causes come which are unknown to the many) could not, or would not do justice, but at their call and appointment; a way which may endanger many an innocent man, and pluck innocent blood

upon their own heads, and perhaps, upon this city also, which God forbid: And this hath been lately practised against myself, God forgive the setters of this, with all my heart, I beg it, but many well-meaning people are caught by it: In St. Stephen's case, when nothing else would serve, they stirred up the people against him, Acts vi. and Herod went just the self-same way, for, when he had killed St. James, he would not venture upon St. Peter too, till he saw how the people took it, and were pleased with it, in the twelfth of the Acts. But take heed of having your hands full of blood, in the first of Isaiah; for there is a time best known to himself, when God, among other sins, makes inquisition for blood; and, when inquisition is on foot, the psalmist tells us, Psalm ix. 'That God remembers, that is not all, that God remembers, and forgets not (saith the prophet) the complaint of the poor; and he tells you, what poor they are, in the ninth verse, the poor, whose blood is shed by such kind of means: Take heed of this, It is a fearful thing, at any time, to fall into the hands of the living God, in the twelfth of the Hebrews: But it is fearful, indeed, and then especially, when he is making his inquisition for blood; and therefore, with my prayers to avert the prophecy from the city, let me desire, that this city would remember the prophecy that is expressed, Jeremiah xxvi. 15.

The third particular is this poor church of England, that hath flourished and been a shelter to other neighbouring churches, when storms have driven upon them: But alas! now it is in a storm itself, and God knows whether, or how it shall get out; and which is worse than a storm from without, it is become like an oak, cleft to shivers with wedges made out of its own body, and that, in every cleft, prophaneness and irreligion is creeping in a-pace; while, as Prosper saith, Men that introduce prophaneness are cloaked with a name of imaginary religion, for we have, in a manner, almost lost the substance, and dwell much, nay, too much a great deal, in opinion; and that church, which all the Jesuits machinations, in these parts of Christendom, could not ruin, is now fallen into a great deal of danger, by her own.

The last particular (for I am not willing to be tedious, I shall hasten to go out of this miserable world) is myself, and, I beseech you, as many as are within hearing, observe me: I was born and baptized in the bosom of the church of England, as it stands yet established by law; in that profession I have ever since lived, and in that profession of the protestant religion here established I come now to die: This is no time to dissemble with God, least of all in matter of religion; and therefore I desire it may be remembered, I have always lived in the protestant religion, established in England, and in that I come now to die. What clamours and slanders I have endured, for labouring to keep an uniformity in the external service of God, according to the doctrine and discipline of this church, all men know, and I have abundantly felt: Now, at last, I am accused of high treason in parliament, a crime which my soul ever abhorred. This treason was charged upon me to consist of two parts; an endeavour to subvert the laws of the realm, and a like endeavour to overthrow the true protestant religion established by those laws. Besides my answers, which I gave

to the several charges, I protested my innocency in both houses : It was said, prisoners protestations at the bar must not be taken *de ipso*. I can bring no witness of my heart, and the intentions thereof; therefore I must come to my protestation, not at the bar, but to my protestation at this hour and instant of my death, in which (as I said before) I hope all men will be such charitable christians, as not to think I would die and dissemble my religion: I do therefore here protest, with that caution that I delivered before, without all prejudice in the world to my judges, that are to proceed *secundum allegata et probata*, and so to be understood, I die in the presence of Almighty God, and all his holy and blessed angels, and I take it now on my death, That I never endeavoured the subversion of the laws of the realm, nor never any change of the protestant religion into popish superstition: And I desire you all to remember this protest of mine, for my innocency in these, and from all manner of treasons whatsoever.

I have been accused likewise as an enemy to parliaments: No, God forbid, I understood them, and the benefits that come by them, a great deal too well to be so; but I did, indeed, dislike some misgovernments (as I conceived) of some few one or two parliaments; and I did conceive humbly that I might have reason for it; for, *Corruptio optimi est pessima*: There is no corruption in the world so bad as that which is of the best thing in itself; for, the better the thing is in nature, the worse it is corrupted: And this being the highest and greatest court, over which no other can have any jurisdiction in the kingdom, if by any way a misgovernment, which God forbid, should any ways fall upon it, the subjects of this kingdom are left without all manner of remedy; and therefore God preserve them, and bless them, and direct them, that there may be no misconceit, much less misgovernment, amongst them. I will not enlarge myself any further, I have done, I forgive all the world, all and every of those bitter enemies, or others, whatsoever they have been, which have any ways prosecuted me in this kind; and I humbly desire to be forgiven first of God, and then of every man, whether I have offended him or no, if he do but conceive that I have: Lord, do thou forgive me, and I beg forgiveness of him, and so I heartly desire you to join with me in prayer.

The Bishop of Canterbury's first prayer on the scaffold.

O ETERNAL God, and merciful Father, look down upon me in mercy, in the riches and fulness of all thy mercies, look upon me, but not till thou hast nailed my sins to the cross of Christ; look upon me, but, not till thou hast bathed me in the blood of Christ, not till I have hid myself in the wounds of Christ, that so the punishment, that is due to my sins, may pass away, and go over me: And, since thou art pleased to try me to the uttermost, I humbly beseech thee, give me now in this great instant full patience, proportionable comfort, a heart ready to die for thine honour, and the King's happiness, and this church's preservation; and my zeal to these, far from arrogancy be it

spoken, is all the sin, human frailty excepted, and all incidents thereunto, which is yet known of me in this particular, for which I now come to suffer; I say, in this particular of treason; but, otherwise, my sins are many and great, Lord, pardon them all, and those especially; whatsoever they be, which have drawn down this present judgment upon me, and, when thou hast given me strength to bear it, then do with me as seems best in thy own eyes, and carry me through death, that I may look upon it in what visage soever it shall appear to me, and that there may be a stop of this issue of blood in this more than miserable kingdom. I shall desire that I may pray for the people too, as well as for myself: O Lord, I beseech thee, give grace of repentance to all people that have a thirst for blood, but, if they will not repent, then scatter their devices so, and such as are, or shall be contrary to the glory of thy great name, the truth and sincerity of religion, the establishment of the King, and his posterity after him, in their just rights and privileges, the honour and conservation of parliaments, in their ancient and just power, the preservation of this poor church in her truth, peace, and patrimony, and the settlement of this distracted and distressed people under their ancient laws, and in their native liberties; and, when thou hast done all this in mere mercy for them, O Lord, fill their hearts with thankfulness, and with religious dutiful obedience to thee, and thy commandments, all their days: So, Amen, Lord Jesus, and I beseech thee receive my soul to mercy. Our Father which art in heaven, hallowed be thy name. Thy kingdom come. Thy will be done in earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive them that trespass against us. And lead us not into temptation: But deliver us from evil, Amen.

When he had finished his prayer, he gave his paper to Dr. Sterne, saying, Doctor, I give you this, that you may shew it to your fellow-chaplains, that they may see how I am gone out of the world, and God's blessing and his mercy be upon them.

Then, turning to Master Hinde, he said, friend, I beseech you hear me, I cannot say I have spoken every word, as it is in my paper; but I have gone very near it, to help my memory as well as I could; but, I beseech you, let me have no wrong done me.

Hinde. Sir, you shall not: If I do any wrong, let it fall on my own head. I pray, God have mercy on your soul.

Cant. I thank you, I did not speak with any jealousy, as if you would do so; but I spoke it only as a poor man, going out of the world, it is not possible for me to keep to the words in my paper, and a phrase may do me wrong.

I did think here would have been an empty scaffold, that I might have had room to die; I beseech you, let me have an end of this misery, for I have endured it long.

When room was made, he spoke thus: I will pull off my doublet, and God's will be done, I am willing to go out of the world; no man can be more willing to send me out, than I am willing to be gone.

Sir John Clothworthy. What special text of scripture now is comfortable to a man in his departure?

Cant. *Cupio dissolvi & esse cum Christo.*

Sir John Clothworthy. That is a good desire, but there must be a foundation for that desire, as assurance.

Cant. No man can express it, it is to be found within.

Sir John Clothworthy. It is founded upon a word though, and that word would be known.

Cant. That word is the knowledge of Jesus Christ, and that alone.

And, turning to the executioner, he gave him money, saying, Here honest friend, God forgive thee, and do thy office upon me in mercy.

The executioner desiring him to give some sign, when he should strike: He answered, yes, I will, but let me fit myself first.

Then, kneeling down on his knees, he prayed thus:

The Bishop of Canterbury's last Prayer on the Scaffold.

LORD, I am coming as fast as I can, I know I must pass through the shadow of death, before I can come to see thee; but it is but *umbra mortis*, a mere shadow of death, a little darkness upon nature; but thou, by thy merits and passion, hast broke through the jaws of death: So, Lord, receive my soul, and have mercy upon me, and bless this kingdom with peace, and with plenty, and with brotherly love and charity, that there may not be this effusion of christian blood amongst them, for Jesus Christ's sake, if it be thy will.

And when he said, Lord, receive my soul, which was his sign, the executioner did his office.

THE IRISH CABINET:

OR,

HIS MAJESTY'S SECRET PAPERS,

For Establishing the Papal Clergy in Ireland, with other Matters of high concernment, taken in the Carriages of the Archbishop of Tuam, who was slain at the late fight at Sleigo in that Kingdom. Together with two exact and full Relations of the several Victories obtained by the Parliament's Forces, through God's Blessing, in the same Kingdom.

Ordered by the Commons assembled in parliament, That his Majesty's Papers, taken at Sleigo, be forthwith printed and published.

H. Elsynghe Cler. Parl. D. Com.

London, Printed for Edward Husband, Printer to the Honourable House of Commons, and are to be sold at his Shop at the sign of the Golden Dragon in Fleetstreet, near the Inner-Temple, January 20, 1645. Containing twenty-eight Pages in Quarto.

WHEREAS much time hath been spent in meetings and debates betwixt his Excellency James, Lord Marquis of Ormond, lord lieutenant and general governor of his Majesty's Kingdom of Ireland, commissioner to his most excellent Majesty, Charles, by the grace of God, King of Great Britain, France, and Ireland, &c. for the treating and concluding of a peace in the said kingdom with his Majesty's humble and loyal subjects, the confederate and Roman Catholicks of the said kingdom of Ireland of the one part, and the Right Honourable Donnoagh, Lord Viscount Muskerry, and others, commissioners deputed and authorised by the said confederate Roman Catholick Subjects of the other part; and thereupon many difficulties did arise, by occasion whereof sundry matters of great weight and consequence necessarily requisite to be condescended unto by his Majesty's said commissioners, for the safety of the said confederate Roman Catholicks, were not hitherto agreed upon, which retarded, and do as yet retard the conclusion of a firm peace and settlement in the said kingdom. And whereas the Right Honourable Edward, Earl of Glamorgan, is intrusted and authorised by his Most Excellent Majesty, to grant and assure to the said confederate catholick subjects further grace and favours, which the said lord lieutenant did not as yet, in that latitude as they expected, grant unto them; and the said earl having seriously considered of all matters and due circumstances of the great affairs now in agitation, which is the peace and quiet of the said kingdom, and the

importance thereof, in order to his Majesty's service, and in relation to a peace and settlement in his other kingdoms; and hereupon the place having seen the ardent desire of the said catholicks to assist his Majesty against all that do or shall oppress his royal right or monarchick government; and having discerned the alacrity and chearfulness of the said catholicks to embrace honourable conditions of peace, which may preserve their religion and other just interests. In pursuance therefore of his Majesty's authority under his Highness's signature royal and signet, bearing date at Oxon the twelfth day of March, in the twentieth year of his reign, granted unto the said Earl of Glamorgan, the tenor whereof is as follows, viz. Charles Rex. Charles, by the grace of God, King of England, Scotland, France, and Ireland, defender of the faith, &c. To our trusty and right well beloved cousin, Edward, Earl of Glamorgan, greeting. We, reposing great and especial trust and confidence in your approved wisdom and fidelity, do by these, (as firmly as under our great seal, to all intents and purposes) authorise and give you power to treat and conclude with the confederate Roman catholicks in our kingdom of Ireland, if, upon necessity, any thing be to be condescended unto, wherein our lieutenant cannot so well be seen in, as not fit for us at the present publickly to own: Therefore we charge you to proceed according to this our warrant, with all possible secrecy, and for whatsoever you shall engage yourself upon such valuable considerations, as you in your judgment shall deem fit: We promise on the word of a king, and a christian, to ratify and perform the same that shall be granted by you, and under your hand and seal; the said confederate catholicks having by their supplies testified their zeal to our service: And this shall be in each particular to you a sufficient warrant. Given at our court at Oxford, under our signet and Royal signature, the twelfth day of March, in the twentieth year of our reign, 1644. To our right trusty and right well-beloved cousin, Edward Earl of Glamorgan. It is therefore granted, accorded, and agreed by and between the said earl of Glamorgan, for and on the behalf of his most excellent Majesty, his heirs and successors, on the one part, and the Right Honourable Richard Lord Viscount Mountgarret, lord president of the supreme council of the said confederate catholicks, the said Donnogh, Lord Viscount Muskerry, Alexander M'Donnel, and Nicholas Plunket, Esq. Sir Talbot Barronet, Dermot O'Brien, John Dillon, Patrick Darcy, and Jeffery Brown, Esq. commissioners in that behalf, appointed by the said confederate Roman Catholick subjects of Ireland, for and in the behalf of the said confederate Roman Catholick subjects, of the other part, in manner and form following; that is to say,

1. Imprimis, It is granted, accorded, and agreed, by the said earl, for and in the behalf of his most excellent Majesty, his heirs and successors, that all and every the professors of the Roman Catholick religion in the kingdom of Ireland, of whatever estate, degree, or quality he or they be, or shall be, shall for evermore hereafter have and enjoy, within the said kingdom, the free and publick use and exercise of the Roman Catholick Religion, and of the respective functions therein.

2. Item, It is granted, accorded, and agreed, by the said earl, for and on the behalf of his Majesty, his heirs and successors, that the said professors of the Roman Catholick religion, shall hold and enjoy all and every the churches by them enjoyed within this kingdom, or by them possessed at any time since the twenty-third of October, 1641; and all other churches in the said kingdom, other than such as are now actually enjoyed by his Majesty's protestant subjects.

3. Item, It is granted, accorded, and agreed, by the said earl, for and on the behalf of his most excellent Majesty, his heirs and successors, that all and every the Roman Catholick subjects of Ireland, of what estate, condition, degree, or quality soever, shall be free and exempted from the jurisdiction of the protestant clergy, and every of them; and that the Roman Catholick clergy of this kingdom shall not be punished, troubled, or molested, for the exercise of their jurisdiction over their respective catholick flocks, in matters spiritual and ecclesiastical.

4. Item, It is further granted, accorded, and agreed by the said earl, for and on the behalf of his most excellent Majesty, his heirs and successors, That an act shall be passed in the next parliament to be holden in this kingdom, the tenor and purport whereof shall be as followeth, viz. An act for the relief of his Majesty's Catholick subjects of his highness's kingdom of Ireland. Whereas by an act made in parliament, held in Dublin the second year of the reign of the late Queen Elisabeth, intituled, 'An act restoring to the crown the ancient jurisdiction over the state ecclesiastical and spiritual, and abolishing all foreign power repugnant to the same.' And by one other statute made in the last mentioned parliament, intituled, 'An act for the uniformity of common prayer in the church, and the administration of the sacrament,' sundry mulcts, penalties, restraints and incapacities, are and have been laid upon the professors of the Roman Catholick religion in this kingdom, in, for, and concerning the use, profession, and exercise of their religion, and their function therein, to the great prejudice, trouble, and disquiet of the Roman Catholics in their liberties and estate, and the general disturbance of the whole kingdom. For remedy whereof, and for the better settling, increase, and continuance of the peace, unity, and tranquillity of this kingdom of Ireland, his Majesty, at the humble suit and request of the lords and commons in this present parliament assembled, is graciously pleased that it may be enacted, and be it enacted by the King's most excellent Majesty, the lords spiritual and temporal, and commons in this present parliament assembled, and by authority of the same, that, from and after the first day of this session of parliament, it shall and may be lawful to and for all the professors of the Roman Catholick religion, of what degree, condition, or quality, to have, use, and enjoy the free and publick exercise and profession of the said Roman Catholick religion, and of their several and respective functions therein, without incurring any mulct or penalty whatsoever, or being subject to any restraint or incapacity concerning the same; any article, or clause, sentence, or provision, in the said last mentioned acts of parliament, or in any other act or acts of parliament, ordinances, law,

or usage to the contrary, or in any otherwise notwithstanding. And be it also further enacted, that neither the said statutes, or any other statutes, acts, or ordinances, hereafter made in your Majesty's reign, or in the reign of any of your Highness's most noble progenitors or ancestors, and now of force in this kingdom; nor all, nor any branch, article, clause, and sentence in them, or any of them, contained or specified, shall be of force or validity in this realm, to extend to be construed, or adjudged to extend in any wise to inquiet, vex, or molest the professors of the said Roman Catholick religion, in their persons, lands, hereditaments, or goods, for any thing, matter, or cause whatsoever, touching and concerning the free and publick use, exercise, and enjoyings of their said religion, function, and profession. And be it also further enacted and declared by the authority aforesaid, That your Majesty's Roman Catholick subjects in the said realm of Ireland, from the first day of this session of parliament, shall be, and be taken, deemed, and adjudged capable of all offices of trust and advancement, places, degrees, and dignities, and preferment whatsoever, within your said realm of Ireland, any acts, statutes, usage, or law to the contrary notwithstanding. And that other acts shall be passed in the said parliament, according to the tenor of such agreements or concessions as herein are expressed; and that, in the mean time, the said Roman Catholick subjects, and every of them, shall enjoy the full benefit, freedom, and advantage of the said agreements and concessions, and of every of them.

5. Item, It is accorded, granted, and agreed by the said earl, for and in the behalf of his Majesty, his heirs, and successors, That his excellency the Lord Marquis of Ormond, Lord Lieutenant of Ireland, or any other or others, authorised or to be authorised by his Majesty, shall not disturb the professors of the Roman Catholick religion in their present possession and continuance of the profession of their said church's jurisdiction, or any other the matters aforesaid, in these articles agreed and condescended unto by the said earl, until his Majesty's pleasure be signified for confirming and publishing the grants and agreements hereby artickled for and condescended unto by the said earl.

6. Item, And the said Earl of Glamorgan doth hereby engage his Majesty's royal word and publick faith, unto all and singular the professors of the said Roman Catholick religion within the said kingdom of Ireland, for the due observance and performance of all and every the articles, grants, and clauses therein contained, and the concessions herein mentioned to be performed to them.

7. Item. It is accorded and agreed, That the said publick faith of the kingdom shall be engaged unto the said earl, by the said commissioners of the said confederate catholicks, for sending ten-thousand men to serve his Majesty, by order and publick declaration of the general assembly now sitting. And that the supreme council of the said confederate catholicks shall engage themselves to bring the said number of men armed, the one half with musquets, and the other half with pikes, unto any port within this realm, at the election of the said earl, and at such time as he shall appoint, to be by him

shipped and transported to serve his Majesty in England, Wales, or Scotland, under the command of the said Earl of Glamorgan, as lord general of the said army: Which army is to be kept together in one intire body, and all other the officers and commanders of the said army are to be named by the supreme council of the said confederate catholicks, or by such others, as the general assembly of the said confederate catholicks of this kingdom shall intrust therewith. In witness whereof, the parties to these presents have hereunto interchangeably put their hands and seals, the twenty-fifth day of August, 1643.

Signed, sealed, and delivered in the
presence of John Somerset, Jeffery
Barron, Robert Barry.

Glamorgan.

* *Copia vera collata fidelites cum originali?*

*Thomas Cashell,
Franc. Patricius Waterford et Lismore,*

This is a true copy of the original copy, found in the archbishop of Tuam's carriage, compared by us,

*Arthur Annesley.
Rob. King.*

Articles of Agreement, made and concluded upon, by and between the Right Honourable Edward Earl of Glamorgan, and in pursuance, and by virtue of his Majesty's authority under his signet and royal signature, bearing date at Oxford, the twelfth day of March, in the twentieth year of his reign, for and on the behalf of his most excellent Majesty, of the one part; and the Right Honourable Richard Lord Viscount Mountgarret, Lord President of the Supreme Council of the Confederate Catholicks of Ireland; Donnogh Lord Viscount Muskerry, Alexander Mac Donnell, and Nicholas Plunket, Esquires: Sir Robert Talbot, Baronet; Dermot O Brien, John Dillon, Patrick Darcy, and Jeffery Brown, Esquires, for and on the behalf of his Majesty's Roman Catholick subjects, and the Catholick clergy of Ireland, of the other part.

IMPRIMIS, the said earl doth grant, conclude, and agree, on the behalf of his Majesty, his heirs, and successors, to and with the said Richard Lord Viscount Mountgarret, Donnogh Lord Viscount Muskerry; Alexander Mac Donnell and Nicholas Plunket, esquires; Sir Robert Talbot, baronet; Dermot O Brien, John Dillon, Patrick Darcy, and Jeffery Brown, esquires, that the Roman Catholick clergy of the said kingdom shall, and may from henceforth for ever, hold and enjoy all and every such lands, tenements, tithes, and hereditaments whatsoever by them respectively enjoyed within this kingdom, or by them possessed at any time since the three-and-twentieth of October, one-thousand six-hundred forty-one; and all other such lands, tenements, tithes, and hereditaments belonging to the clergy within this

kingdom, other than such as are actually enjoyed by his Majesty's protestant clergy.

Item, It is granted, concluded, and agreed on, by the said Richard Lord Viscount Mountgarret, Donnogh Lord Viscount Muskerry, Alexander Mac Donnell, and Nicholas Plunket; Sir Robert Talbot, Dermot O'Brien, John Dillon, Patrick Darcy, and Jeffery Brown, on the behalf of the confederate Roman Catholicks of Ireland, that two parts in three parts to be divided of all the said lands, tithes, and hereditaments whatsoever, mentioned in the precedent article, shall, for three years next ensuing the feast of Easter, which shall be in the year of our Lord God 1646, be disposed of, and converted for and to the use of his Majesty's forces, employed or to be employed in his service, and the other third part to the use of the said clergy respectively; and so the like disposition to be renewed, from three years to three years, by the said clergy, during the wars.

Item, It is accorded and agreed, by the said Earl of Glamorgan, for and in the behalf of his Majesty, his heirs, and successors, that his excellency the Lord Marquis of Ormond, Lord Lieutenant of Ireland, or any other or others, authorised or to be authorised by his Majesty, shall not disturb the professors of the Roman Catholick religion in their present possession, and continuance of the possession of their churches, lands, tenements, tithes, hereditaments, jurisdiction, or any other the matters aforesaid in these articles agreed and condescended to by the said earl, until his Majesty's pleasure be signified for confirming and publishing the grants herein articulated for, and condescended unto by the said earl.

Item, It is accorded, granted, and agreed by the said Earl, for and in the behalf of his Majesty, his heirs, and successors, that an act shall be passed, in the next parliament to be held in this kingdom, according to the tenor of such agreements or concessions, as herein are expressed; and that, in the mean time, the said clergy shall enjoy the full benefit, freedom, and advantage of the said agreements and concessions, and every of them.

And the said Earl of Glamorgan doth hereby engage his Majesty's royal word and publick faith unto the said Lord Viscount Mountgarret, and the rest of the said commissioners, for the due observation and performance of all and every the articles, agreements, and concessions herein contained and mentioned, to be performed to the said Roman Catholick clergy, and every of them. In witness whereof, the parties to these presents have hereunto interchangeably put their hands and seals, the twenty-fifth day of August, Anno Domini 1645.

Glamorgan.

Signed, sealed, and delivered in the presence of John Somerset, Jeffery Barron, Robert Barry.

Whereas, in these articles touching the clergy's livings, the right honourable the Earl of Glamorgan is obliged, in his Majesty's behalf, to secure the concessions in these articles by act of parliament, We,

holding that manner of securing those grants, as to the clergy's livings, to prove more difficult and prejudicial to his Majesty, than by doing thereof, and securing those concessions otherwise, as to the said livings, the said earl undertaking and promising in the behalf of his Majesty, his heirs, and successors, as hereby he doth undertake to settle the said concessions, and secure them to the clergy, and their respective successors, in another secure way, other than by parliament at present, till a fit opportunity be offered for securing the same, do agree and condescend thereunto. And this instrument, by his lordship signed, was, before the perfecting thereof, intended to that purpose, as to the said livings; to which purpose we have mutually signed this indorsement. And it is further intended, that the Catholick clergy shall not be interrupted by parliament, or otherwise, as to the said livings, contrary to the meaning of these articles.

Glamorgan.

'Copia vera collata fideliter cum originali.'

Thomas Cashell.

Fra. Patricius Waterford et Lismore.

This is a true copy of the original copy found in the Archbishop of Tuam's carriage, compared by us,

Arthur Annesley.

Robert King.



'I EDWARD, Earl of Glamorgan, do protest and swear, faithfully to acquaint the King's most excellent Majesty with the proceedings of this kingdom, in order to his service, and to the indearment of this nation; and punctual performance of what I have, as authorised by his Majesty, obliged myself to see performed; and, in default, not to permit the army, intrusted to my charge, to adventure itself, or any considerable part thereof, until conditions from his Majesty, and, by his Majesty, be performed.'

September 3, 1645.

Glamorgan.

'Copia vera concordans de verbo ad verbum fideliter cum originali.'

Tho. Cashell.

This is a true copy of the original copy, found in the Archbishop of Tuam's carriage, compared by us,

Arthur Annesley.

Robert King.

*A Copy of a Letter in Cipher.**Honourable Sir,*

THERE are some passages, which we omitted in our letters to the committee, because we judge it expedient to express them in cipher; the rebels grew higher in their demands, since the King's affairs have been in a declining condition; which, with their abusing the King's and authority, in the taking our garisons in Connaught, and turning the English out of some of them, hath so incensed the Marquis of Ormond, that he desires but power and opportunity to break off all treaty, and fall upon them; and, in order thereunto, we have had an overture, by one that came from him to us, for the British and Scottish forces to join with him against the rebels, upon these conditions:

First, That the treaty, between England and Scotland, should be observed.

Secondly, That the covenant should not be pressed upon the forces, under his lordship's command; and that it should be left free, for those of them that would, to use the common-prayer book, and the established government, till the King and parliament settle some other.

Thirdly, That the British army be left to the chief governor, for the time being, he appointing them a governor of their own chusing.

Fourthly, That every party, out of his estate or charge, be restored.

Fifthly, That none be sent out of the kingdom, without consent on both parts.

Sixthly, That some ammuniion be left to them of Dublin.

Seventhly, For our security, Drogheda should be given into our hands, we giving assurance, that use should not be made of it against his lordship.

Eighthly, Both parties do swear to perform. We suppose some good effect might be produced from these beginnings; but, without the Scots commissioners, we have no power, and, therefore, expect your directions therein, and desire, that, in the mean while, they may be kept secret; for, if any notice of a transaction, in this kind, come to the rebels, it would hazard the putting Dublin, and those parts, into their hands; the proposition is the more considerable, because your armies here will much want a port in Leimpster for a magazine; but we shall do nothing in it till we hear from you, but what may keep them on. Having nothing more to advertise you of at present, we remain

Your humble servants,

Belfast, this Nineteenth
of November, 1645.

*Arthur Annesley.
Robert King.
William Beale.*

If you think fit to proceed, we doubt not, but to bring the business unto far better conditions than are proposed,

Sir,

THE same letter, which we have written to the committee of both kingdoms, we have also written to the lords and commons, and, if either give redress to the wrongs complained of, it is well; what we wrote to you, of the nineteenth of this month, in character, might as well have been done with less trouble; for Master Galbreth, that delivered to us the same, under an injunction of great secrecy, hath since communicated it to most of the colonels of the British army; so that it was evidently a plot, to draw this army, under the command of the marquis. I was jealous of it at first, and we took bonds of him to appear before the committee, when the Scots commissioners shall land; but it was not thought fit to commit him till then, because there be divers other malignants, whom we intend, at that time, to lay up together, who, perhaps, would not appear then, if there were any very strict course taken now.

We think the strength of the army stands well affected, but both armies have known malignants in them, who being removed, there will be no danger. Since my former, Sir Patrick Wemys is come from Dublin, and brought his whole family with him. I think he hath done his part exceeding well, and, if it be not effectually prosecuted, you shall plainly know where the fault lies. We want our money and meal extremely; without them we are, as it were, wind-bound. We intend to visit the major-general shortly; he saith, he hath no commission to command the army, but you may see, by his warrant that we have sent to the committee, he wants not a commission to levy money. Our letters lie here, for want of a vessel to waft them over; nor have we heard a word thence, since our landing; but I will forbear that further trouble, till there be more cause.

Your most humble and most

Belfast, Nov.

affectionate servant,

26, 1645.

Robert King.

POSTSCRIPT.

Sir,

YOU will receive, herewith, copies of such papers as were found in the Archbishop of Tuam's carriage; they are of very high consequence, for they shew you what his Majesty grants the papists here, and how far the peace with the rebels is advanced. Be pleased to read them I pray you.

The News from Sligo.

ON the Lord's-day, October the seventeenth, 1645, the rebels (before the Ulster forces from the Laggán were come to Sligo) surrounded the town; with about two thousand foot, and three thousand horse. The garrison, seeing little hopes of the Ulstermen's advance, not know-

ing they were then at Bundrous, conceived it of absolute necessity to hazard the fighting with the rebels with their own strength, and Sir William Cole's troop, rather than to lose themselves, and the out-garrisons, which were, in a manner, all blocked up, by the rebels lying between them and Sligo. Captain Richard Coot, and Captain Cole, commanded the horse, being near two-hundred; and, after some skirmishing with the rebels horse, fell, pel-mell, into their several divisions of foot, routed them, and pursued them; and Lieutenant-Colonel Sanderson, sallying out of the town with his foot, and Sir Francis Hamilton coming, in the nick of time, with his troop, they had all execution upon the rebels for five miles; and, at the end thereof, left slain the Popish Archbishop of Tuam, the rebels president of Connaught, for a memorable mark. They took one-hundred and fifty horse, with their arms, their tents, and all other baggage and ammunition, and had much spoil; several colours of horse and foot, and many officers of note, to the number of about twenty-eight, prisoners; about two-hundred killed; and our loss but of one man, and six hurt. Many more of the rebels might have been killed, but that our foot left the chase, and fell to plunder.

The whole army being thus defeated, one thousand foot, and three troops of horse, that were coming to join with them, upon the news thereof, returned. And our men, with the Leggan army joined with them, have since entered the barony of Tereragh, and taken thirteen castles there, well provided of corn, which was our chief want, and like to be the loss of that whole province, if God, in this miraculous manner, had not supplied it. The oxen, which drew the enemy's waggons, drew our ordnance, for the taking in of the said castles. And now our men have good quarters for this winter, about the said castles, which keep the country under contribution.

The Archbishop of Tuam was a principal agent in these wars, and one of the supreme council of Kilkenny. He attended their army at this time, to visit his diocese, and to put in execution an order for the arrears of his bishoprick, granted to him from the council at Kilkenny; which order, together with the pope's bull, and several other letters of correspondence, between him and his agents from Rome, Paris, and several parts of this kingdom, were found about him: the particulars of which letters, in order to the Irish affairs, are as followeth:

'That the pope would not, at the first, engage himself, in the sending of a Nuncio for Ireland, till the Irish agents had fully satisfied him, that the establishment of the Catholick religion was a thing feasible, and attainable in this kingdom; whereupon, he was content to solicit their cause with Florence, Venice, &c. and also to delegate Farmano, his Nuncio, to attend this kingdom.' Who, the said Nuncio, after some delays in France, was, at last, expedited thence, by express order from the pope; and he arrived at the river of Kilmare, in a frigate of twenty-one pieces, twenty-six Italians of his retinue, Secretary Belinges, and divers regular and secular priests, October the twenty-second. The Irish are much encouraged with these supplies which he hath brought; the list whereof, found about the archbishop, is:

Imprimis, two thousand musquets, four-thousand bandeliers, two thousand swords, five hundred petronels, and twenty thousand pounds of powder (all which arrived in another barque by itself at Brook-haven, October the tenth) together with five or six desks, or small trunks of Spanish gold, the sum uncertain.

These letters likewise inform us, that the King's hopes are from the Irish nation; and, if they desert him, he is like to be in a hard condition very speedily. Several other things they contain, concerning Prince Rupert, Colonel Legg, the King's losses at Bristol and Chester. Something there is, also, of the treaty of peace. Ormond, says one, is found a Machiavellian; Dillon, Muskerry, Talbot, are for peace; 'Conditionibus quibuscunque iniquis,' says another; 'Our publick affairs are in via, non in termino,' says a third; the propositions high, the answers high and sly. There are some mysteries of state in this business, which I cannot commit to paper; yet, morally certain it is, there will be peace, saith a fourth. It seems, also, there were some differences amongst the rebels themselves, as between Muskerry and Brown; insomuch, that Brown is dispatched from Dublin to Kilkenny, between Castle-haven, and Preston; insomuch, that Father Scrampe went from the supreme council to reconcile them. There was also a private letter, of suspicious informations, against Dominico Spinola, an agent in Ireland, wherein he is said to hold correspondence with the Queen of England in France, and to be a lover of their enemies.

Prisoners at Sligo.

Great Morah ne Dom. O'Flaherty, lieutenant-colonel to Richard Bourk, cousin-german to the Earl of Clanrickard, and his next heir.

John Gerdy, lieutenant-colonel to Sir Tibbot Bourk, eldest son to the Lord of Mayo.

Richard Bourk, Major to Richard Bourk aforesaid.

Captain William O Shaghwise, brother to Sir Roger O Shaghwise.

Captain Garret Dillon, son to Sir Lucas Dillon, who saith, that his father was shot in the thigh.

Captain Costologh, with divers other inferior officers.

The titular Archbishop of Tuam was slain.

Captain Brown, brother Jeffery Brown, the lawyer, who brought one hundred musquets from Galloway, was also killed.

A true and fuller relation from Ireland of the service performed by the men of Inniskillin, of Sir William Cole's regiment and troop at Lowtherstowne, upon Thursday, November the twenty-seventh, 1645, about one o'clock in the night; wherein, they did not only, by the Providence of God, rescue their prey, but, having there routed a party of four or five hundred men of the rebels, did likewise put the whole army of Owen Mac Arte O Neale to flight, viz.

SIR WILLIAM COLE, upon Sunday morning, November the twenty-third, received a letter from Sir Charles Coot, lord-president of

Connaught; who, to satisfy his lordship's desires, commanded his troop to march unto him, to be at Sligo, on Thursday night, November the twenty-seventh, to join in some expedition, by his lordship's orders, against the rebels in that province.

The greatest part of his troop, with their horses, were then in the island of Baawe, sixteen miles northward from Inniskillin; who, upon his notice, did march away, upon Monday, November the twenty-fourth, together with almost all the foot-soldiers of two companies of his regiment, that quartered with their cattle, and many of the cows of Inniskillin in that island, unto Balleshannon, which was their place of rendezvous.

The cornet of that troop, upon Tuesday, November the twenty-fifth, with about twenty horsemen, marched from Inniskillin to the westward of Loghern, with resolution to lodge, that night, by the way, within fifteen miles of Sligo; but a little snow falling, altered their determination, and so took their course to Balleshannon, without appointment, God, in his high providence, for the advancement of his own glory, and our good, directing them thither; where, as soon as they got their horses shod, they were still hastening towards Sligo, whither sundry of their foot companies aforesaid, on horseback, rid before them: and a great part of the troop were advanced as far as Bundrowis, where the alarm overtook them, with orders to return, to resist the enemy, to the number of four or five-hundred men, of Owen Mac Arte's army, under the conduct of several captains, led by Roury Mac Guire in chief; who, upon Wednesday morning, November the twenty-sixth, being provided with two of our own boats, by the treachery of one Bryan O Harran, and others of our bosom-snakes, protected Sinon's, had entered the said island of Baawe, at the south-end of it, and was burning, spoiling, and preying their goods; wherein they prevailed, even to the stripping naked of all our women, plundering and taking theirs, and our then absent soldier's clothes, victuals, and arms away.

That party of our horsemen speedily returning to Balleshannon, whence, with the cornet, the rest of the said troop, some of the foot soldiers on horseback, and captain John Folliot, accompanied with as many horsemen as he could make, hastened towards the north-end of that island, which is distant, from the south-end thereof, three English miles. But, the enemy having driven the prey of cows, horses, and mares, forth at the south-end, our horsemen, with captain Folliot, followed by Termon castle; whence they marched through very inaccessible woods and bogs, in the night, to the Cash (distant sixteen miles from Balleshannon) being the first place that they could guide themselves by the track of the enemy and prey, which they still pursued, with cheerfulness, to Lowtherstown; where, overtaking them about one o'clock in the morning of November the twenty-seventh, 1645, their trumpet sounding a charge, they followed it home so resolutely, that, after a fierce conflict, in a short time, they routed the enemy, and had the execution of them for a mile and a half; slew many of them in the place, took some prisoners, rescued most part of their prey, recovered their own soldiers, that were then the enemy's prisoners, with some of the rebels knapsacks to boot: which sudden

and unexpected fright did so amaze Owen Mac Arte, and his army, consisting of about two thousand foot, and two hundred horse (as prisoners do inform) who, after they had made their bravado on the top of an hill, within a mile of Inniskillin, in the evening of November the twenty-sixth, to keep the town from issuing forth, to resist or stay the prey, incamped, that night, at Ballenamallaght, within four miles of this town; that they all, in a most fearful and confused manner, ran away to the mountains, so vehemently scared and affrighted, that their van thought their own rear were my troops, and their rear likewise imagined, those that escaped the fight, by flight from Lowtherstown, to have been also my party that pursued them; whereby, their mantles, clokes, and all that could be an impediment to their more speedy flight, were cast upon the ground, and left behind them; and so continued, until they passed the mountains of Slewbagha into the county of Monaghan, where they are quartered upon the county Creaghts, which lies from Arthur Blaney's house, and from Monaghan Duffee, near the town of Monaghan, all along to Drogheda, consisting of the banished inhabitants of Tyrone, Armagh, Monaghan, and Lowth.

My troop returned, with Captain Folliot, in safety, praised be God, without hurt of man or beast, save one horse of Lieutenant Edward Graham's, that was shot and killed under him. And having put the said prey again into the said island, upon Friday, November the twenty-eighth, they marched to Balleshannon, whence, again, they came home to Inniskillin, on the north-side of Loghern, the thirtieth of November, 1645.

Among those that were slain, the grandson of Sir Tirlagh Mac Henry O Neale was one.

One captain killed. Two lieutenants killed.

And, I find, there is some man, of more eminent note than any of these, killed, but, as yet, cannot learn certainly who it is. Lieut. Tirlagh O Moylan, of Captain Awney O Caban's company, taken prisoner; who, upon examination, saith, That Inchiquin hath given a great blow, of late, unto Castlehaven and Preston, in their quarters near Yoghel; and also saith, That the intent of this army was, that, if they could come off with our said prey, without check, they purposed then to have besieged this town, and, according as fortune favoured them, to have proceeded against the Lagan, and other places of Ulster.

And yet I find, by the answer of some others of the prisoners, that, by direction from the supreme council of Ireland, this army of Owen Mac Arte's are to serve in nature of a running party, to weaken our forces of Inniskillin, Laggan, and Claneby's, by sudden incursions, to kill, spoil, and prey us, upon all occasions of advantage, according as, by their successes therein, they shall assume encouragement to themselves to go forwards against us, but especially against Inniskillin, which they conceive is worst able to resist their attempts.

Captain Folliot had sixteen horsemen, with four of Mannor Hamilton's men, and four of Castle Termon horsemen, that joined very fortunately, in this service, with my troop; for which God Almighty be ever glorified and praised by

William Cole.

Die Lunæ, 12 Januarii, 1645.

Ordered by the commons assembled in parliament, That the committee of lords and commons for Irish affairs, do take care, that the relation of the late good success in Ireland be forthwith printed.

H. Elsyng, Cler. Par. D. Com.

AN ENQUIRY

INTO THE

PHYSICAL AND LITERAL SENSE OF THAT SCRIPTURE

Jeremiah viii. 7.

The Stork in the Heaven knoweth her appointed times; and the Turtle, and the Crane, and the Swallow observe the time of their coming, &c.

Written by an eminent Professor * for the use of his scholars, and now published at the earnest desire of some of them.

Printed by J. H. no date. Duodecimo, containing thirty-six pages.

THE whole place is a rebuke to man, who should best know, and therefore most readily perform, the law of his creator, written in his nature; this is the theological scope, wherein he is upbraided by brute creatures, that better observe their instincts.

But our present enquiry is of the physical and literal sense, especially of these words (in the heaven) where the stork seems to be and reside, when she knoweth her appointed time of her return unto this our earth. The question is, Whence come the stork, and the turtle, the crane, and the swallow, when they know and observe the appointed time of their coming?

For the probable solution of which question, four things deserve some particular consideration, being of the number of those wonderful works of God, which seem to be proposed to be sought out of all them that have pleasure therein, Psal. cxi. 3. besides the theologico-moral design of convincing unnatural sinners.

1. The kinds or species mentioned. And they are fowls; not but beasts, worms, and fishes have their seasons and months, in which they

* Mr. Charles Morton. See Calamy's Continuation, vol. I. pag. 211.

may be found (as is said of the wild ass, Jer. ii. 24.) But their absence and coming is not so remarkable, because, for the most part, they are known and observed by men, whither they make their recess; whereas, in divers sorts of fowls, their absence is such, that we know not whither they go, or whence they come, but are, as it were, miraculously dropped down from heaven upon us.

Nor are these particular kinds of fowls, mentioned, all those that do observe those seasons; but it is probable, they were the most remarkable in the Holy Land; but we have divers sorts besides, of which we shall take notice, the rather because they are more familiar to us than some of those here mentioned; and so we can better observe their phænomena, that may afford us some light in this matter: Such are the winter-birds that breed not here, as the woodcock, and wind-thrush (or the redwing, wheenerd, whindle; for so many names it has in divers countries) field-fare, snipe, &c. And the summer birds, that breed here, as the nightingale, the cuckow, marlot, &c. which may be added to the swallow, mentioned in the text, a breeder in our own country, and the stork, a breeder in our neighbour countries, of which we may obtain certain knowledge and intelligence; but the crane is an exotick, and preserved sometimes amongst us only as a rarity.

2. The second thing to be considered of them, is, their knowledge of the seasons: This is an instinct, or implanted natural faculty, whereby they take notice of the changes of the air where they are, or the steams of the body where they reside, or the alteration or abatement of their daily food, or the changes arising from one or more of these in the temperament of their own bodies, whereby they are invited to change quarter, in order to obtain what is more suitable to them, or to avoid what is offensive. I will not suppose that they ratiocinate in the matter; yet I will not deny, but they have true sense and perception, and moved by something therein more than mechanism. Without dogmatising, as it may be proposed a problem, or porisma, to be considered, whether the souls of brutes are not more than rarefied, or inflamed matter; and whether it will not suit well enough the harmony of the world, that spirits created should be of three sorts; some that should have no relation to the matter, as angels; some that should bear relation to matter, but without dependence (unless *quoad actum informandi*) as the reasonable souls of men; and some that should bear relation to matter, with dependence (*quoad esse, fieri, et operari*) as the souls of brutes. Certainly, if this were granted, there would be one step more (not yet taken notice of) to advance the throne of the highest perfection, and no such chasm, and vast distance between things spiritual and corporeal, that there need to be vehicles invented to join them together in one *compositum*. And truly, if immortality be not so much the result of immateriality, as of the decree and designation of the first cause, the most considerable argument that I know is dismantled, that it cannot better this hypothesis, if any one would make bold to assert it.

3. The appointment of their time. This is not like the appointment of days, or months, or new moons, or sabbaths to the reasonable creatures, who have both notions of time, and a power to discern and distinguish the parts thereof; all which is denied to brutes. But it is

only the settlement of the order and fixation of the whole frame of nature, that which was at first made, and afterward secured by the promise, Gen. viii. 22. 'While the earth remains, seed-time and harvest, and cold and heat, summer and winter, day and night shall not cease.' This diversity is derived from the lights in the heaven, set for 'signs and for seasons, and for days and for years,' Gen. i. 14. For, according to the access and recess of these lights, so as their irradiations are more direct or oblique, to any part of the earth, or as they vary their mutual aspects one to the other, so is their influx upon the earth, or any other body among the heavens of like composition, to cause such changes in the effluvia, as gives distinction to those brute creatures, in this or that season, so or so to provide for themselves; that is, while the effluvia, or streams, or the other things requisite for these animals, are congenial to their temperament, it intimates to them, to abide where they are; but, when an offensive alteration is made, it commands them to be gone, and shift for themselves; so that the ordinances of heaven (as they are called, Job. xxxviii. 33.) that is, the settled order of motions and influences of the heavenly bodies, and the regular and uniform acts of nature by agents and patients joined with that common law of nature, given by instinct to every thing to preserve itself; these two together do constitute that law which is here called, the appointments of their seasons, to which law they readily yield obedience, not out of religion, as reasonable creatures do, or should (religion, rather than reason, being according to the opinion of some learned men, the essential difference) but out of necessity of nature, and by those shadows of reason, which many brute creatures have.

4. The last thing to be considered, is, The place whence they come, and whither they go; which is the main enquiry, and gave occasion to this exercitation.

Concerning some brutes, that keep seasons, it is known to men, where they make their recesses, or what is become of them, when they are absent from us. I shall mention some particulars in their several kinds.

1. And first of insects, and almost all sorts of flies; we know they are plentiful with us in the summer; but where are they in the winter? Some in their seeds or eggs, as silk-worms, butterflies, &c. some in their pregnant dams, as bees, wasps, &c. which hide themselves all winter in some warm place, and, in the spring lay their eggs, which, by the warmth of their bodies, and temper of the air, are after hatched in great abundance.

2. Divers sorts of fishes have their seasons, some whereof are river-fish, that go up into the smaller brooks to breed, as salmon, trout, &c. and after go down into the greater rivers, as trouts, or as low as the mouth of the rivers, into the very sea, yet not so far but they may now and then have a gust of fresh water, as is observed in the salmon, which, being marked when they were young spawn, and cast into the rivers, have gone down into the sea, and returned again full grown with their marks into the same river. Some are sea fish, that come in great shoals at certain seasons, as mullet, mackarel, herring, pilchard, and many more; but these, having the wide sea to travel in, do remove north and

south either for the suitable warmth of the water, or the suitable food which such warmth doth produce.

3. Divers kinds of beasts have also their removes; these having not so great a scope to range in, as being confined to the habitable parts of the earth, where man also resides (the fear and dread of whom was placed in them all, Gen. ix. 2.) Therefore those that are natural, or that are wild, do at times go farther from the presence of men, when they have convenience of covert and food, or when they breed, the better to hide and secure their young; but, when they are streightened in those conveniences, they are forced to appear nearer, by spreading further to seek for forage; but even then they take the opportunity of the night, wherein they may be best concealed. This is excellently celebrated, Psal. civ. ver. 18, 20, 21, 23, 24. 'The high hills are a refuge for the goats, and the rocks for conies. Ver. 20. Thou makest darkness, and it is night, wherein all the beasts of the forest do creep forth. Ver. 21. The sun ariseth, they gather themselves together, and lay them down in their dens. Ver. 23. Man goeth forth unto his work, and to his labour, until the evening. Ver. 24. O Lord, how manifold are thy works! in wisdom hast thou made them all.' 4. But the fowls of the air are most remarkable in their seasons, as is before noted; their removes are at a greater distance, by the convenience of their wing, and they have a larger scope than the fishes themselves, who have the whole ocean to wander in. The sea is wide and deep, yet not as the air, that compasseth the sea and land, nor so passible in any part as the air is supposed to be in some parts thereof: for, if the opinion be true, that gravitation is from the magnetism of the earth, then, the more remote from the earth, the less is the gravity, and by consequence the more easy passage; for then the bird, employing little or none of his strength to bear up its weight, may use it all in promotion whither it would tend. Then (beyond the atmosphere) the air is thin, and makes less resistance, and does so at least compensate the want of density to thrust the wing against; therefore the whole strength of the bird is reserved only for the progressive motion, and by consequence that motion there must be abundantly more swift and easy, than it can possibly be here below in the atmosphere.

Before I do propose a direct answer to the question, Whither these fowls do probably make their recess, I must lay down some *postulata* or *prolegomena*; such as,

1. That the Creator made the universe for the manifestation of his own glory.

2. That, in order thereunto, he has endowed the rational creature (man) with a capacity to observe, search out, and celebrate his power, wisdom, and goodness in his works.

3. That, since the fall, the ordinary method of man's understanding any thing of the works of God, is by industry in sense, observation, experience, induction, and the communication of these things from one man to another.

4. That must be acknowledged as true, or at least most probable, that is most easily deducible from man's experience and observation of the phenomena of nature.

5. That those phenomena do yield ground for opinions more strange, weak, or variable, not so much from the diversity of appearances, as of observation from whence principally they derive their denomination of phenomena; therefore, when men speak of new ones, upon which they ground new argumentations and opinions, they are not (for the most part) new things in nature, but old things newly taken notice of.

6. New observations may be made in one age, that are not in another, by the hints that one age gives to another, whereby human reason (being still the same in all ages) works on upon former observations, so as what is begun, in one age, may be perfected in another; and the same may hint some things imperfectly to the next, that may be left to them to perfect, and so onwards: *Ita res accendunt lumina rebus.*

7. Whence it follows, there may be a sober sense of that saying [*Senescente mundo adolescent ingenia*] the older the world, the wiser; not that new opinions arise from affectation of novelty, or proud contempt of the ancients; but, granting their wit and industry to be equal, yet we may soberly say, their opportunities were not so; for latter ages have the observations of the former, and their own to boot.

8. That all manner of sciences have improved, and are still improving, is manifest enough to any that are not overweening of their own entertained conceits, or impertinently superstitious towards dead heroes, and from hence are enemies to all reformation; as if envying that any thing should be done well, that was not done by them and their ancestors; or as if this must needs reflect upon them, as careless or unskillful.

9. That many little things in nature are of great importance, and become the most admirable (and God's wisdom therein) when their end and use come better to be discerned. One would admire to think, why God should create eclipses to appear only at certain times. The thing in itself is a very toy, a non-entity, a privation, a shadow of short duration, and no more in nature than the putting my hand between my eye and the candle, and yet this little darkness gives light to all astronomy and chronology; for by this men only are sure that their hypotheses in the main are more than doubtful conjectures, God making use of this contemptible mote (as a *fescue*) to teach men to read the heavens, and it enables man (that little pigmy on a mole-hill) to measure and comprehend at such a distance such vast magnitudes and motions. This is noted to prevent the sneer of some that possibly may be at our enquiry after the habitation of a woodcock.

10. I do suppose, that the hypothesis of Copernicus is reasonable, and may be real, without any contradiction to scripture, namely, 'That the moon's body (as also of the other five planets) is of a composition like our earth, and may have in it dry land and water, mountains and vallies, fountains, streams, seas, &c. and about it an atmosphere of vapours and fumes from its body, clouds, rain, &c. like this earth we inhabit, and by consequence convenient entertainment for those fowls, in case they arrive thither.'

These things premised, I say, it is not impossible, that divers of these fowls, which make such changes, and observe their seasons, do pass and repass between this and the moon, which is the nearest concute hetero-

geneous, or earthly body of the planets; which will appear, if we consider,

1. If these birds did, in the time of their absence from us, reside any where in this earth, it is likely, that some one would, in one age or other, have discovered the place; but I cannot, from any record of the learned, or distinct and reasonable account of other men, find that there is any man has seen them out of their seasons; and therefore I conclude, they are no where in this our earth; for, *de non entibus et non apparentibus eadem est ratio*. It is true, indeed, I have heard stories of no such certainty as a man's mind may acquiesce in them: One tells me of 'Swallows lying in clay lumps in the bottom of rivers;' which I cannot persuade myself to believe, because the water and earth are too cold quarters, in the winter, for such summer birds: Besides, if they should have no occasion for breath, while they lie in their sweeven, or winter-sleep, yet, in the spring-morning, when they should awake, it is scarce conceivable, how their feathers should be in a trim to lift them out of the water. Others tell us of 'Heaps of swallows lying in the clefts of the rocks near the sea;' but I never yet could speak with any one that ever saw them so, though I have lived many years near the sea: And also, methinks, it is very strange, that no curious persons, inquisitive into the nature of things, should procure any of those sleeping swallows, to observe the progress of nature concerning them. The like I have heard of the cuckow, found in hollow trees; but it is only rumour, and no more of woodcocks: I have been told, that one was taken on Midsummer-day, but he was all lousy: This (if true) might be; perhaps the poor creature was sick, or wounded, at the time he should have been gone, and so, perhaps, was left behind his fellows. And, indeed, I have often wondered, that none, who might have opportunities for it (as a walled garden, with a brook running through it) have, by pinioning them, preserved some of these alive all the year long, especially in those parts where they are most plentiful, and sometimes of very little value. Of snipes and fieldfares, I have heard of young ones found in desolate moors, and northern parts; but then the same reporters tell us, 'It is but very rare, and scarce one nest in many years has been found:' 'But what is this to the multitude we have, especially of the fieldfare, which come in mighty flocks? As to the wind-thrush, I never yet heard of any, that pretended to know any thing of their abode, or breed.

2. Consider their coming, which is so sudden (as to divers of the kinds) that it is as if they dropped down upon us from above. In woodcocks, especially, it is remarkable, that, upon a change of wind to the east, about Alhallows-tide, they will seem to have come all in a night; for, though the former day none are to be found, yet the next morning they will be in every bush: I speak of the West of England, where they are most plentiful: Nor is it observed, that they are in the eastern parts sooner than in the most western; nor that they fly westwards, when they are flushed, or raised to the wing, more than to any other quarters; whereas, if they came from any earthly coast, it is

likely, their tendency to spread themselves farther would be from those coasts, from whence they came: They come not in flocks, as fieldfares and redwings, but are sprinkled singly all over the country, and in some parts are twenty for one what they are in others, especially where are plenty of springs and woody sides of hills; and perhaps mineral streams may contribute to the attraction of them.

It may, therefore, be supposed they hover aloft, where the attraction is weak; and, though they may come all together to the utmost parts of the atmosphere, they may there disperse themselves to take a gust of the air, and, when they meet with steams that are agreeable, they forthwith drop right down to the place that best pleases them. One single bird, in his dispersion, over-shot himself, and, it seems, rambled too far out of his way; for I have heard this remarkable story: — ‘A ship out at sea, farther from land than any birds use to be found, discovered a bird aloft in the air, hovering over them, as high as they could discern; which bird descended towards them, and made divers rings over the vessel, and at last lighted on the deck: It was a woodcock, so wearied that they took it up with their hands.’ This relation I had from the Rev. Mr. Thomas Travers, of Cornwall, who received it from the captain, or master, of the vessel, a man of good credit and understanding: He said also, ‘It came not from any coast, but down right from above; and (if I do not misremember) it was more southerly, than any such birds use to be found.’

Now, if this be true (as I have no reason to doubt it, it either shews the creature to come from above, or at least thus much, if it come from any remote part of the earth, it first mounts above the attraction of the earthly globe, before it begins its journey towards us: Which, if it be gained, it fairly helps our supposal, as is before noted; for, if there be such an attraction (which is called Gravity), and it have bounds in a certain height, then it may as well serve their going to the moon, as to some other parts of the earth.

As to the fieldfare and redwings, they seem also to come as suddenly upon a change of the air; but it is most on a northern wind, and therefore they may be thought to come from the northern parts of the earth; and, by consequence, it doth not so clearly evince our hypothesis upon this consideration, though it may help it well enough upon some other considerations. This is to be noted of them, that they fly very high at their first coming (as doth the swallow) and this may help a little, especially as to the attraction of the earth.

3. Consider the different state of these fowls, in their first coming, to what they are afterwards. This is noted of the woodcock, that, when it first comes, the taste of its flesh is quite another thing from what it is afterwards; it is short and tender; whereas after it eats stringy, and of a fibrous flesh, as other of our fowls are: And, towards its going off, it is observed, if you shoot a cock, it will bleed plentifully at the wounds, which at the beginning of the winter it never does; and then also, when it is so full of blood, it seems inclined to chuse a mate for breeding; for about Candlemas you shall seldom flush a single cock out of a bush; which you always do, all the winter before. From this, the conjecture

is, that they have another kind of nourishment, before they come here, than what this earth doth afford, or else their flesh would be of the same constitution; or, if they had blood at their first setting out, it served them for a Viaticum, and was spent in their nourishment, throughout their long journey; and that their feeding here prepared them for breeding elsewhere, whither they travel with the companions of their choice.

4. Consider the flying of these birds, while they abide among us. It is manifest, that the woodcock and redwing make very short flights, when they are stirred; it is also manifest, that those of them, that are found near the sea-shore, do never, when disturbed, offer towards the sea, but shelter themselves again, as soon as they can, on the land: Besides, it may be observed, that the wing of that fowl, proportionable to its full body, is very inconsiderable to bear it a long flight, in such a course, where is necessarily required a constant support of its weight.

Hence, therefore, we conjecture, it never came from any part of the earth, that lies beyond our seas; for it would never venture at rights over any sea, or considerable breadth of water; much less, that it should come from parts remote beyond man's travels; therefore, more probably, it is from above, where the main of the journey is performed without any gravitation.

As to the windthrush (or redwing) and fieldfare, it is observed also, what is of the woodcock, that their flights are short, and that they shun the seas; else why do they not better shift for themselves, in a very cold season, by getting over to France, or other warmer countries, rather than starve here, as multitudes of them do? From this I conceive, that they are not beyond-sea birds, nor ever came into this island from another part of the earth; but that they come down directly upon us, when our land is presented fair for them, as they view it above in the atmosphere.

The swallow, cuckow, stork, and the other summer birds make but short flights and returns; the swallow, swift, and marlet are almost always flying; and these also shun the seas, though they sometimes, for flies, or drink, do dip and play over the fresh water: Therefore, surely, neither are these any beyond-sea birds.

5. Consider these fowls in or near the times of their departure: The woodcock (as was said) is full of blood, gets company, and, to which add, is stronger of flight, and mounts higher, when moved. The field-fares and redwings gather into great flocks, so do the swallows and marlets; and all these, except the woodcock, are wont to make a chearful singing, or chattering noise, before they take their farewell; their flights are also high, but never over any sea-water, that I can hear of; therefore, I conceive, they leave not the land to go beyond sea: Nor is it probable that they hide in the sand, or seek lurking-places to sleep in; for then, methinks, they should be more dull and drooping towards their going to sleep: No; rather their chearfulness seems to intimate, that they have some noble design in hand, and some great attempt to set

presently upon, namely, to get above the atmosphere, hie and fly away to the other world.

But, of all the remarkables, in this respect, nothing is more luminous in this matter than the proceedings of the stork in the Low Countries, of which I have had this account. The stork, when it hath bred, and the young fully fledged, and the time of departure drawing nigh, they all (to a bird) gather together about the Harlem Meer; then they continue some days chattering, and making a great noise, till the last are come into their rendezvous; then, in the midst of this noise, there is a sudden silence for a short time, where, I suppose, upon a signal given, they all rise together, and fly in one great flock, or cloud, fetch many great rounds, first near the earth, but after higher, like the spiral ascent of a goss-hawk when she lowers, till at last this great cloud, that at first darkened the air right over the place of their ascent, appears less and less by distance, till it utterly disappears. 1. And here I call to mind a story of Sir Anthony Welden's, in his Court and Character of King James: 'The King,' saith he, 'being at New-market, delighted much to fly his goss-hawks at herons, and the manner of the conflict was this: The heron would mount, and the hawk would get much above it; then, when the hawk stopped at the game, the heron would turn up its belly, to receive her with his claws, and sharp bill; which the hawk perceiving, would dodge, and pass by, rather than endanger itself: This pass being over, both hawk and game would mount to the utmost of their power, till the hawk, being got above, would be at another attempt, and after divers such assaults, by some lucky hit or other, the hawk would bring her down. But,' saith my author, 'one day a most excellent hawk, being at his game, in the King's presence, mounted with his game so high, that both hawk and heron got out of sight, and were never seen more. Enquiry was made, not only over all England, but in all the foreign princes courts in Europe, the hawk having the King's jesses, and marks sufficient, whereby it might be known, but all was to no purpose.' Now, Whither should these creatures go, unless it were to the moon? I confess, the hawk and heron might, being very weary, drop into the sea, and so be lost; though this be not very probable, because the heron's usual shift is, not by a stretch onwards, but only by mounting up, and then, when they were weary, they should drop near the place where they rose, which was far enough from the sea: But, as to the stork, there can be no such thing suggested, for then the whole kind would perish; nor is it a force that makes them mount, as the heron, but only their own choice; surely they seek a place where they may have a comfortable repose, but that cannot be any other land here, for directly upright is not the way to any part of this globe.

6. And, lastly, Consider some remarkable words in the text; one is their *tempus itineris*, the time of their journey; so, instead of coming, do the learned render it: From which thus much may be gained, that swallows do not lie in the clefts, as some pretend, for it is but a small journey for that swift flier from the clefts to the chimney-tops. It is probable therefore they come from such a distance as may deserve the name of a journey.

The other, and great, remarkable is, *Ciconia in Caelis*, the stork in the heavens; the note is, of the difference between the two original words **בשמים** in the heaven, and **השמים** of the heaven. Now, whenever in the scripture other birds are spoken of with relation to the heaven, it is in the latter word, 'Fowls of the heaven;' only this is said to be 'in the heavens,' when it knows its time of returning to us, which is not said of any other, that I know of: Nay, this I know, the former word is commonly ascribed to those things, that have the heaven for their proper place, and as contradistinct from the earth. A few of them I shall mention:

Exod. xx. 4. 'Thou shalt not make any likeness of any thing that is in heaven above,' &c. that is, Thou shalt not pourtray any earthly thing, to make an idol of it, or make it a mean of worship, contrary to institution, nor of any heavenly body, as the sun, moon, or stars, to be either an object, or a mean, but thou shalt worship thy God spiritually, and immediately, and only as he hath appointed.

So, 1 Chron. xxix. 11. 'All that is in the heaven and the earth is thine,' i. e. All the efficacy of terrestrial bodies, and all the influences of heavenly bodies are in thy disposal, therefore thine is the kingdom of kingdoms, O Lord, and thou art exalted as head above all.

So, Psal. cxiii. 6. 'Who dwelleth on high, who humbleth himself to behold the things that are in the heaven, and in the earth;' i. e. Such is his majesty, that it is condescension in him to look down, and take notice of any of his creatures. The lofty heavens, and all those luminous bodies, which we may well admire, yet are infinitely below him, and the glory of his throne. Now the scripture gives us notice of three heavens, the aerial, or heaven of the fowls; the ætherial, or heaven of the fixed stars and planets; and the Emsigreum, the seat of the blessed, or special presence-chamber of the Majesty on high; here the apostle was admitted to behold unutterable glories. This last falls not under our present consideration; the question is of the former two, that is, whether the stork, that is said to be in the heaven, be only in the air, or some one of the planets, most likely the moon, which is nearest to us; I say, it seems probable, that other fowls, that are said to be of the heaven, are for a short time in the lowest aerial, the heaven, in which they freely, by flying, wander about; and, that being their excellency above other animals, that must only walk upon the earth, they are therefore called 'fowls of,' or belonging to 'the heaven.' But 'in the heaven' seems to be something more; namely, a steady abode in something that is called 'heaven,' that cannot be the air, for six months together; therefore, it must be some solid heavenly body, such as the moon is found to be.

It is true indeed, I find one place where the word, in the heaven, is spoken of the aerial heaven, the place of meteors, Psal. lxxviii. 26, 'He caused an east wind to blow in the heaven:' but then it is even here to be noted, that this heaven is the proper place of the wind; but this cannot be so to the stork, it cannot have there a resting place for so many months together; 'in the heaven' indeed, may signify to be in the air or atmosphere; but then it must be understood of such bodies as are by nature adapted to abide therein, but not of such as are there occasion-

ally, and for a short space of the air, for them is a phrase of sufficient dignity.

The sum of all is, the stork, in its absence, is said to be 'in the heaven,' therefore it is not in any other parts of the earth; and since, 'in the heaven,' signifies to be in the air, or in some one of the heavenly bodies, and that it cannot abide six months in the air, no more than Noah's dove, which was as good a flier, yet wanted a resting place for the sole of her foot, it remains therefore, that the stork, and the like may be said of the rest of season-observing birds, till some other more fit place can be with reason assigned them, does go unto, and remain in some one of the celestial bodies; and that must be the moon, which is most likely, because nearest, and bearing most relation to this our earth, as appears in the Copernican scheme, yet is the distance great enough to denominate the passage thither an itineration or journey.

Object. Great enough, indeed, for it is said to be fifty-two semidiameters of the earth, which being accounted twenty-one thousand, seven-hundred, and twenty-three miles, and three sevenths about, its diameter is six-thousand, nine-hundred, and twelve miles; then its semidiameter is three-thousand, four-hundred, and fifty-six; this, multiplied by fifty-two, gives one-hundred and seventy-nine thousand, seven hundred, and twelve miles, for the distance of the moon from the earth; now at one-thousand per day in one-hundred and eighty days, which is but two and a half short of half a year, he could go but one-hundred and eighty thousand, which is not so much more than the number of miles mentioned; so that the whole year must be spent in going and coming at one-thousand miles per day; in two-thousand of one half, the year; in four-thousand, a quarter; and this is as much as can be allowed them, namely, six weeks coming, and six weeks going, to tarry five months there, and five months here. Now, how can it be conceived, that any bird should move four-thousand miles a day, that is one hundred and sixty miles, and two thirds, per hour.

Answ. This is, I confess, a difficult objection, and I know not how better to answer it, than by giving them a little more time for their journey, that is, by dividing the year into three parts; allow one third for staying here, another one-third there, and the remaining one third for their going and coming, that will be sixty days, or two months for each, then will their motion be about one-hundred and twenty-five miles in an hour; now, I have heard that race horses have moved at the rate of five miles in a minute; this comes to three-hundred miles in an hour, if they could continue it; but if this may seem too much to be believed, let us abate; say four miles is two-thousand four-hundred per hour, eight is one-hundred and eighty per hour, still this is more than our account one-hundred and twenty-five, but two is one-hundred and twenty, that is somewhat less; now, if any of these be possible by a horse, that hath two or three impediments, then it is much more easy for a bird, that hath none; the horse is hindered by its own weight, the bird hath none beyond the attraction; the horse hath resistance from the air, the bird in the air meets with no obstruction; and perhaps this may

be added, that, if there were the resistance of the air, yet the bird could better make its way, not only by the shape of its body, fitted for the purpose, but, because of the smallness of its dimension, proportionable to its strength; for it is noted by an ingenious person, that generally smaller animals are stronger, proportionable to their bulk, than stronger, by the quadruple proportion.

2. *Object.* Oh, but as these have no resistance, so they have no furtherance; for the very fluid æther makes no resistance to the stork of the wing (as is before noted,) whereas the horse hath the solid earth to beat his heels against?

Ans. We will suppose (according to our hypothesis) that, as the bird ascends out of the attraction, it accelerates its motion by the same force that, in the beginning, did serve to raise it but slowly; and, perhaps, this acceleration may be much as the descent of heavy bodies, by virtue of attraction, namely, by odd numbers (1, 3, 5, 7, 9,) for, though there be still some gravity remaining in the body, while it is ascending out of the attraction, yet the force continues either the same, or, if it be diminished any thing by weariness, this may be balanced by the thickness of the middle region, affording better stroke for the wing: now, if (I say) there be such acceleration even to the æther, where there is neither help nor resistance, yet there it shall continue in its full vigour and velocity, that was acquired in the ascent, and may, for any thing that appears, hold on to the moon's attraction; but this increasing swiftness may, at its height, be well supposed to transcend the swiftness of any horse; and, by consequence, may well accomplish this long journey in the time allowed:

3. *Object.* But shall not the animal eat or sleep, all this long time of two months?

Ans. As for eating, it may possibly be without, in that temper of the æther, where it passeth, which may not be apt to prey upon the spirits, as our lower nitrous air; and yet, even here, bears are said to live upon their summer fat all the winter long, in Greenland, without any new supply of food. Now we noted before, that some of those birds (and perhaps it may be true of the rest) are very succulent and sanguine, and so may have their provisions laid up in their very bodies for the voyage.

As to sleep, it is very probable, that they are in a sleep, or swoon, if not all the way, between the attraction of the earth and that of the moon; to which sleep the swift acquired motions may very much contribute; for we see the like in a chicken, which if you swing in your hand, with its head under its wing, you will presently lay it asleep. Now it is likely, these birds, being there, where they have no objects to divert them, may shut their eyes, and so swing on fast asleep, till they come where some change of air (as a middle region about the moon or earth) may, by its cold, awake them. Add to this, that this sleep spares their provisions; for, if, as some would have it, cuckows, or swallows, can

lie asleep half the year without eating, why cannot these, in as deep a sleep, as well for two months forbear it?

4. *Object.* 'But the moon goes near round the earth every day, or the earth round itself; and if, from any part of the earth, they should steer their course to the moon, they must make many great circles round the earth, to keep the moon in view; nay, it is impossible they should so do, if they should attempt it; for, near the earth, their course must be twenty-one thousand miles a day, which can no way be conceived. Besides, this spiral ascending would abundantly augment their way, which is long enough besides.'

Ans. It cannot be supposed, that they at first direct their course to the moon, but rather, offended by the steams of the earth, do tend directly from it; and that straight line, it is probable, they pursue, till they come so near the moon, that she is the fairest object to draw their inclination. For, if the moon hath a motion in a month about the earth, then at the two months end they will find it in the same line of direction, where it was when they begun their journey; for, suppose it full moon at the place where they began, just at two months end it will be full moon again to the same place which they left; therefore, if they proceed in the same straight line, they will be sure to meet the moon in their way, it being the end of their second period, while they were in their journey.

5. *Object.* 'But all this discourse is grounded upon the Copernican scheme, and the new motions of philosophy, which are yet under debate; but, if all this be mistaken, then so are all your conjectures.'

Ans. I take for granted my grounds, and so need not dispute them: If any doubt what I suppose, I must refer him to the authors that on purpose have handled these matters, whose works when he hath well considered, perhaps, he may allow my supposition: In the mean time, he may leave alone these papers, as what he is not yet prepared to examine.

I know not what else may be objected, and this is all, at present, I can say of this matter: If, from what hath been said, may be an illustration of the wonderful works of God, any light afforded to the letter of any abstruse text, or if but any incitement to better abilities to make a further enquiry; it shall compensate the small pains of him, who professes himself not to affect novelties, but only desirous to understand the truth, and is

Your friend,

C. M.

POSTSCRIPT.

IF, notwithstanding what has been said in answer to the first objection, concerning the great distance between the moon and the earth, any one shall still remain unsatisfied, I have only this to offer to his

consideration : ' Whether there may not be some concrete bodies, at a much less distance than the moon, which may be the recess of these creatures, and may serve for little else but their entertainment.' Thus we see many rocky islands in the sea, that are of no other manifest use, than for sea-fowls to rest and breed upon, and these are therefore commonly called Gurl-rocks. Now, if there be such globules (or æthereal islands) they must be supposed of such magnitude only, and set off at such distance, as their reflexive light may not reach home to our earth (though, perhaps, they may serve to illuminate our atmosphere) else they would before now have been discovered ; and yet no farther off, than these birds may conveniently arrive unto them in such time, as may be most convenient to allow them. This I do suggest, because it is as hard for me to persuade myself, that they come from any other part of this earth, as it is to persuade another, that they come from the moon ; and therefore, if the moon will not be allowed, some other place must be found out for them.

A SPEECH

OF THE

RIGHT HONOURABLE THE EARL OF LOUDEN,

LORD CHANCELLOR OF SCOTLAND,

To a grand Committee of both Houses of Parliament, upon the Twelfth of September, 1645. Published by authority.

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My Lords and Gentlemen,

THE occasion of this meeting is to represent, to the honourable houses of the parliament of this kingdom, the condition of the affairs of Scotland, which at this time is very sad, in respect that the bloody rebels who came from Ireland, whom this kingdom by the large treaty are obliged to repress, and their treacherous confederates and malignants, who have conspired against the covenant and league betwixt the two kingdoms, have so much prevailed in mischief, especially in that unhappy late rencounter with our forces at Kilsyth ; where the rebels being upon their march southward, and, according to our best intelligence, to join with the King, whom they did expect in Scotland,

or to break through our borders into England, and to come with their army into this kingdom; and our army, being then very weak by reason of their former losses and conflicts, wherein most part of our forces were cut off, did raise some country forces, and brought them along with them, and, out of their zeal to the good and safety of both kingdoms, did pursue them with more forwardness and haste, than good speed or success; for the enemy having placed themselves in a ground of advantage, betwixt steep mountains on the one hand, and woods and bogs on the other, possessing the best ground, where in a latent place they were all drawn up in battle; our forces advanced up to them, and the ground being very streight, and the enemy lurking in a place where they were not perceived till our forces were close at them, and none of ours being drawn up, nor put in order, but only the regiment that marched in the van, the enemy did fall upon them with their whole horse and foot, and, after fighting with that first regiment, who did fight very valiantly till oppressed with the multitude of the enemies whole forces, they were most part cut off, and the rest broken: The few horse we had retreated disorderly, breaking through their own foot, and, all being in disorder, the enemy prevailed, and routed our forces with great execution, giving quarter to none.

After this sad blow, we having no other army, nor reserve of forces in the fields, some towns near the enemy, wherein there be many malignants ready to welcome them, and others out of fear were glad to capitulate with the enemy, and submit themselves to their mercy, upon such conditions as they could obtain.

The deportment of the enemy, since, is by all craft and cruelty to strengthen and recruit their army, wherein they leave no means un-essay'd that policy or violence can effect; they offer peace and protection, immunity from all excise, assessments, raised for the entertainment of our armies in Scotland, England, and Ireland, and the ratifying of the former covenant of Scotland, to all that shall join with them or lie neutral; and, as they term it, return to their loyalty and obedience to the King, and shall renounce the mutual league and covenant with England; and such, as will not, are threatened with fire and sword, which in divers places they put to execution most cruelly: And Montrose, as the King's Lieutenant-General, issues forth commissions to popish and malignant lords, and others, to array the country for the King.

Papists and divers malignants, who before were with them in their hearts, but durst not appear, are now avowedly joined with them; others, out of fear to preserve themselves, their wives and children, from destruction of the sword and fire, are fled, and some take protections from them: The enemy is roaring and triumphing in the heart of the Kingdom, and is now possessed of the houses, lands, and estates of many noblemen, gentlemen, and others of the best affected in the kingdom, to whom nothing is left but families without maintenance, honour without means to support it, and who are under all the grievous calamities of war, and under the mercy of a most cruel and bloody enemy, not having, when I came from that kingdom, any army in the fields to oppose them, And in the mean time the angel of God is striking our

cities, especially Edinburgh, the chief city of that kingdom, with the plague of pestilence so fearfully, that there is no living there, nor any commerce, trade, nor exchange of money, which increases our difficulties to maintain a war; and a parliament is indicted by Montrose, to establish all these iniquities by a law.

In this our extremity, we were forced to have our recourse to our armies in England and Ireland, to crave their aid; and for that end I am sent hither to the honourable houses of parliament, to represent to them and this honourable meeting the necessity of calling our army, for the relief and safety of their native country, and that the party who was nearest them, under the conduct of Lieutenant-General David Lesley, might with all possible speed march into Scotland, to whom the committee did earnestly write for that effect: This was the readiest remedy which did fall within the compass of their present consideration; they desire, and are confident, to find the honourable houses approbation thereof, there being no hope of assistance from our army in Ireland.

Their next desire to the honourable houses is, that the wars in Scotland, against these bloody rebels, may be carried on by the joint counsels and assistance of both kingdoms, against the common enemies of both nations, and the cause wherein we are so deeply engaged, the war and our enemies being still the same, and the place of our war only changed; and, if the King or his forces break into Scotland, that proportionable forces from the parliament may closely follow them.

No man hath conscience or honesty, but he will remember the solemn league and covenant, the treaty, and the declarations of both kingdoms, which are the strongest bonds betwixt God and man, and betwixt man and man, and nation and nation, before the world: No man hath true zeal to religion, that will shrink for such adversity and opposition, as hath been ordinary in the like work, and hath been obvious to us since our first undertaking, but hath been always overcome by the assistance of God; no man that hath prudence, who will hope for a powerful and prosperous war, or any firm or true peace, but in the conjunction of both kingdoms.

How great then would the sin and shame be, if either nation, against so manifold obligations whereby we stand obliged before God and the world, should desert the other in this cause?

How great advantage would it be to our common enemy, who has still followed that Machiavilian maxim, *Divide et impera*, to get us divided? And the greatest favour either nation could expect in the end is, but to be the last that shall be devoured?

As in the time of your greatest distress and lowest ebb, when Scotland enjoyed peace and quietness, they did from their sympathy of your sufferings forsake their own peace for your aid, apprehending also your ruin and servitude might be a forerunner of theirs; so if this kingdom shall withdraw, or be wanting in their assistance to us, in the day of our distress, brought upon us for embarking with them, and we perish in it; will it not usher in and hasten upon you that same ruin, intended from the beginning by our common enemy? And, if the godly and honest party in that kingdom perish, for want of assistance, you may certainly

expect as great an army from thence, for your destruction, as came formerly for your preservation; which God forbid.

But from our brethren of England, and the honourable houses of parliament, who are the true pilots, set at the helm in so great a storm, we expect better and greater things; that their whole authority, power, and means will in this exigent be aiding to us: And it is the firm resolution of that kingdom, by God's grace, never to forsake this, but, against all opposition, with courage and constancy to live and die with you in this cause; and although all the world should forsake us, so long as there is one drop of blood in our veins, we resolve never to relinquish this work, but to put our confidence in the justness of the cause, and in the invincible power of God, whose cause it is, till it please him by a prosperous war, or happy peace, which we still desire may by all good means be sought after, to put an end to our troubles, trusting he will strengthen us, and send deliverance to his people: But, if either nation draw back their hand, or deal treacherously in it, their judgment and doom will be harder than I desire to pronounce.

THE KING'S CABINET OPENED:

OR,

CERTAIN PACQUETS OF SECRET LETTERS AND PAPERS,

Written with the King's own hand, and taken in his cabinet at Nasby Field, June 14, 1645, by victorious Sir Thomas Fairfax; wherein are many mysteries of state, tending to the justification of that cause, for which Sir Thomas Fairfax joined battle that memorable day, clearly laid open; together with some annotations thereupon.

Published by special Order of the Parliament.

London, printed for Robert Bostock, dwelling in St. Paul's Churchyard, at the Sign of the King's-head, 1645. Quarto, containing seventy-two pages.

It were a great sin against the mercies of God, to conceal those evidences of truth, which he so graciously, and almost miraculously, by surprisal of these papers, hath put into our hands; nor dare we smother this light under a bushel, but freely hold it out to our seduced brethren, for so, in the spirit of meekness, labouring to reclaim them, we still speak, that they may see their errors, and return into the right way: For those that wilfully deviate, and make it their profession to oppose the truth, we think it below us, to revile them

with opprobrious language, remembering the Apostle St. Jude, and that example which he gives us in his epistle. They may see here in his private letters, what affection the King bears to his people, what language and titles he bestows upon his great council; which we return not again, but consider with sorrow that it comes from a prince seduced out of his proper sphere; one that has left that seat, in which he ought, and hath bound himself to sit, to *sit* (as the Psalmist speaks) 'in the chair of the scornful;' and to the ruin, almost, of three kingdoms, hath 'walked in the counsels of the ungodly;' and though in our tenents we annex no infallibility to the seat of a King in parliament, as the Romanists do to the papal chair, since all men are subject to error, yet we dare boldly say, that no English King did ever, from that place, speak destruction to his people, but safety and honour; nor any that abhorred that seat and council, but did the contrary. Therefore, reader, to come now to the present business of these letters; thou art either a friend or enemy to our cause. If thou art well affected to that cause of liberty and religion, which the two parliaments of England and Scotland now maintain against a combination of all the papists in Europe almost, especially the bloody tygers of Ireland, and some of the prelatical and court faction in England; thou wilt be abundantly satisfied with these letters, here printed, and take notice therefrom, how the court has been cajolled, that is the new authentick word now amongst our cabalistical adversaries, by the papists, and we, the more believing sort of protestants, by the court. If thou art an enemy to parliaments, and reformation, and made wilful in thy enmity, beyond the help of miracles, or such revelations as these are, then it is to be expected that thou wilt either deny these papers to have been written by the King's own hand, or else that we make just constructions and inferences out of them: Or, lastly, thou wilt deny, though they be the King's own, and bear such a sense as we understand them in, yet that they are blameable, or unjustifiable against such rebels as we are. As to the first, know that the parliament was never yet guilty of such forgery; the King yet in all the letters of his, which have been hitherto intercepted, never objected any such thing, and we dare appeal to his own conscience now, knowing that he cannot disavow either his own hand-writing, or the matters themselves here written. All the cyphers, letters, all circumstances of time, and fact, and the very hand by which they are signed, so generally known, and now exposed to the view of all, will aver for us, that no such forgery could be possible. As to our comments and annotations, if there be not perspicuity and modesty in them, there is no common justice nor place for credit left amongst mankind; but indeed, most of the main circumstances want no illustration at all to the most vulgar capacities; and therefore we affirm nothing necessary to be believed, but what the printed papers will themselves utter in their own language; and yet, for that which is not so clearly warranted here, we have other papers for their warrant, were they not too numerous, and vast, and too much intermixed with other matter of no pertinence for publication at this time. Touching the last objec-

tion, if thou art a perfect malignant, and dost not stick to deny, that there is any thing in these letters unbeseeming a prince, who professes himself a defender of the true faith, a tender father of his country, and has been so sanctimoniously engaged with frequent, special vows of affection, candour, sincerity, and constancy, to his particular protestant subjects of England and Scotland: Then know, that thou art scarce worthy of any reply, or satisfaction in this point. Our cause is now the same as it was when the King first took up arms, and as it was when the King made most of these oaths and professions. Our three propositions concerning the abolition of episcopacy, the settling the militia of the three kingdoms in good hands, by advice of parliament, the vindication of the Irish rebels, being all our main demands at the treaty in February last, and no other than the propositions sent in June 1642 before any stroke struck, will bear us witness, that we have rather straitened, than enlarged our complaints. But were our cause altered, as it is not; or were we worse rebels, than formerly, as none can affirm which take notice of our late sufferings, and our strange patience even now after the discovery of these papers, and our late extraordinary success in the field; yet still this clandestine proceeding against us here, and condemning all that are in any degree protestants at Oxford, as also granting a toleration of idolatry to papists, and indemnity to the murderous Irish, in a close trading way, for mere particular advantage, cannot be defended by any, but by the falsest of men, papists; or the falsest of papists, jesuits. Hitherto the English have had commission to chastise the Irish, the Irish have had the like to chastise the English, both have spilt each others blood, by the King's warrant; yet as both have been in part owned, so both have been in part disowned, and the King himself has not appeared with an open face in the business. But now by God's good providence the traverse curtain is drawn, and the King writing to Ormond, and the Queen, what they must not disclose, is presented upon the stage. God grant the drawing of this curtain may be as fatal to popery, and all antichristian heresy here now, as the rending of the veil was to the Jewish ceremonies in Judea, at the expiration of our Saviour.

15.

*Oxford, January 9.**Dear Heart,*

SINCE my last, which was by Talbot, the Scots commissioners have sent to desire me to send a commission to the general assembly in Edinburgh, which I am resolved not to do; but, to the end of making some use of this occasion, by sending an honest man to London, and that I may have the more time for the making a handsome negative, I have demanded a passport for Philip Warwick, by whom to return my answer. I forgot in my former to tell thee, that Lenthall the speaker brags, That Cardinal Mazarine keeps a strict intelligence with him; though I will not swear that Lenthall says true, I am sure it is fit for thee to know. As for Sabran, I am confident, that either he, or his instructions, are not right for him who is eternally thine.

Even now I am advertised from London, that there are three or four lords, and eight commons, besides four Scotch commissioners, appointed to treat, and they have named Uxbridge for the place, though not yet the particular persons. I am likewise newly advertised, that General Goring prospers well where he is, and since Monday last hath taken eighty of the rebels horse; and, upon his advance, they have quitted Peterfield and Coudry.

P. S. The settling of religion, and the militia, are the first to be treated on; and be confident, that I will neither quit episcopacy, nor that sword which God hath given into my hands.

29.

15.

Copy to my wife, Jan. 9, 1644, by P. A.

This is a true copy examined by Edmund Prideaux.

31.

Oxford, Sunday, March 30.

Dear Heart,

SINCE my last, which was but three days ago, there are no alterations happened of moment, preparations, rather than actions, being yet our chiefest business, in which we hope, that we proceed faster than the rebels, whose levies both of men and money, for certain, go on very slowly; and I believe they are much weaker than is thought, even here at Oxford. For instance: a very honest servant of mine, and no fool, shewed me a proposition from one of the most considerable London rebels, who will not let his name be known until he hath hope, that his proposition will take effect: It is this: that, since the treaty is so broken off, that neither the rebels nor I can resume it, without, at least, a seeming total yielding to the other, the treaty shall be renewed upon thy motion, with a pre-assurance, that the rebels will submit to reason. The answer, that I permitted my servant to give, was, That thou art the much fittest person to be the means of so happy and glorious a work, as is the peace of this kingdom; but that upon no terms thy name was to be profaned; therefore he was to be satisfied of the rebels willingness to yield to reason, before he would consent that any such intimation should be made to thee, and particularly, concerning religion and the militia; that nothing must be insisted upon but according to my former offers. This, I believe, will come to nothing, yet I cannot but advertise thee of any thing that comes to my knowledge of this consequence.

I must again tell thee, that most assuredly France will be the best way for transportation of the Duke of Lorrain's army, there being divers fit and safe places of landing for them upon the western coasts, besides the ports under my obedience, as Shelsey near Chichester, and others, of which I will advertise thee when the time comes.

By my next, I think to tell thee when I shall march into the field, for which money is now his greatest want, I need say no more, who is eternally thine.

18.

31.

To my wife, March 30, 1645, by Petit.

This is a true copy examined by Edmund Prideaux.

30.

*Oxford, Thursday, March 27.**Dear Heart,*

I wrote to thee yesterday by Sakefield, the subject of it was only kindness to thee; which, I assure thee, shall ever be visible in all my actions: and now I come to Jermin's account, given me by thy command, which is very clear, hopeful in most particulars, and absolutely satisfactory as concerning thy care and industry. As for the main impediment in the Duke of Lorrain's business, which is his passage, Why may thou not procure him passage through France? If that of Holland be stuck at, it will much secure and facilitate the sea-transportation in respect of landing on the western coast, which, I believe, will be found the best, there being not so many places to chuse on, any where else. But this an opinion, not a direction.

The general face of my affairs, methinks, begins to mend, the dissensions at London rather increasing than ceasing, Montrose daily prospering, my western business mending apace, and hopeful in all the rest. So that, if I had reasonable supplies of money and powder, not to exclude any other, I am confident to be in a better condition this year, than I have been since this rebellion began, and, possibly, I may put fair for the whole, and so enjoy thy company again, without which, nothing can be a contentment unto me. And so, farewell, dear heart.

I intend, if thou like it, to bestow Percy's place on the Marquis of Newcastle, to whom, yet, I am no ways engaged, nor will be before I have thy answer. As for Jack Barclay, I do not remember that I gave thee any hope of making of him master of the wards; for Cottington had it long before thou went hence, and I intended it to Secretary Nich, if he then would have received it; and I am deceived if I did not tell thee of it.

I desire thee to command Lord Jer. to read to thee the duke's letter, which goes herewith, and in it to mark well that part concerning the transportation of the Duke of Lorrain's army.

23.

30.

To my wife, March 27, 1645, by P. A.

This is a true copy examined by Miles Corbet.

39.

*Oxford, Sunday, May 4.**Dear Heart,*

THE rebels new brutish general hath refused to meddle with foreign passes, so as yet I cannot dispatch Adrian May to thee, by the way of London, which, if I cannot very shortly, I will send him by the west. And now, if I could be assured of thy recovery, I would have but few melancholy thoughts, for, I thank God, my affairs begin to smile upon me again, Wales being swept of the rebels, Farrington having relieved itself; and now being secured by Goring's coming, my nephews likewise having brought me a strong party of horse and foot, these quarters are so free, that I hope to be marching within three or four days, and am still confident to have the start of the rebels this year: I am likewise

very hopeful, that my son will shortly be at the head of a good army; for this I have the chearful assurance of Culpeper and Hyde. Of late, I have been much pressed to make Southampton master of my horse, not more for good-will to him, as out of fear, that Hamilton might return to a capacity of re-censuring me; wherein, if I had done nothing, both jealousy and discontents were like to arise; wherefore I thought fit to put my nephew Rupert in that place, which will both save me charge, and stop other men's grumblings. I have now no more to say, but praying for, and impatiently expecting of good news from thee, I rest eternally thine.

39.

To my wife, May 4, 1645, by Malin St. Ravy.

This is a true copy examined by Edmund Prideaux.

13.

Oxford, Jan. 2.

Dear Heart,

HAVING decyphered thine, which I received yesterday, I was much surprised to find thee blame me for neglecting to write to thee, for, indeed, I have often complained for want, never missed any occasion of sending to thee: and, I assure thee, never any dispatch went from any of my secretaries, without one from me, when I knew of it.

As for my calling those at London a parliament, I shall refer thee to Digby for particular satisfaction; this in general: if there had been but two, besides myself, of my opinion, I had not done it; and the argument that prevailed with me was, that the calling did no ways acknowledge them to be a parliament; upon which condition and construction I did it, and no otherways, and accordingly it is registered in the council-books, with the council's unanimous approbation; but thou wilt find, that it was by misfortune, not neglect, that thou hast been no sooner advertised of it.

As for the conclusion of thy letter, it would much trouble me, if thou didst not know, thy desire granted before it was asked; yet I wonder not at it, since that, which may bear a bad construction, hath been presented to thee in the ugliest form, not having received the true reason and meaning of it. The fear of some such mischance made me the more careful, to give thee a full account by Tom Elliot, of the reasons of the Duke of R. and Earl of S. journey to London, which, if it come soon enough, I am confident will free thee from much trouble; but, if thou hast not the patience to forbear judging harshly of my actions, before thou hearest the reasons of them, from me, thou may be often subject to be doubly vexed; first with slanders, then with having given too much ear unto them. To conclude, esteem me as thou findest me constant to those grounds thou left me withall; and so, farewell, dear heart.

21.

13.

Copy to my wife, Jan. 2, 1645, by P. A.

4

This is a true copy examined by Edmund Prideaux.

21.

Oxford, Feb. 19. O. S.

Dear Heart,

I cannot yet send thee any certain word concerning the issue of our treaty, only, the unreasonable stubbornness of the rebels gives daily less and less hopes of any accommodation this way; wherefore I hope no rumours shall hinder thee from hastening, all thou may, all possible assistance to me, and particularly, that of the Duke of Lorrain's; concerning which I received yesterday good news from Dr. Goffe, that the Prince of Orange will furnish shipping for his transportation, and the rest of his negotiation goes hopefully on, by which, and many other ways, I find thy affection so accompanied with dexterity, as I know not whether, in their several kinds, to esteem most; but I will say no more of this, lest thou may think that I pretend to do, this way, what is but possible to be done by the continued actions of my life; though I leave news to others, yet I cannot but tell thee, that even now I have received certain intelligence of a great defeat given to Argyle by Montrose; who, upon surprise, totally routed those rebels, and killed fifteen hundred upon the place. Yesterday I received thine of the twenty-seventh of January, by the Portuguese agent, the only way (but expressed) I am confident on, either to receive letters from thee, or to send them to thee; indeed, Sabran sent me word yesterday, besides some compliments of the embassy of the rebels ships in France (which I likewise put upon thy score of kindness) but is well enough content, that the Portuguese should be charged with thy dispatches. As for trusting the rebels either by going to London, or disbanding my army before a peace, do no ways fear my hazarding so cheaply or foolishly; for I esteem the interest thou hast in me, at a far dearer rate, and pretend to have a little more wit (at least by the sympathy that is betwixt us) than to put myself into the reverence of perfidious rebels. So, impatiently expecting the express thou hast promised me, I rest eternally thine.

I can assure thee, that Hertogen, the Irish agent, is an arrant knave, which shall be made manifest to thee by the first opportunity of sending packets.

11. 21.

To my wife, Feb. 19, 1645, by P. A.

4

This is a true copy examined by Edmund Prideaux.

20.

Dear Heart,

THE expectation of an express from thee, as I find by thine of the fourth of February, is very good news to me, as likewise that thou art now well satisfied with my diligence in writing. As for our treaty, there is every day less hopes than other, that it will produce a peace. But I will absolutely promise thee, that, if we have one, it shall be such as shall invite thy return. For I avow, that, without thy company, I can neither have peace nor comfort within myself. The limited days for treating are now almost expired without the least agreement

upon any one article. Wherefore I have sent for enlargement of days, that the whole treaty may be laid open to the world. And, I assure thee, that thou needest not doubt the issue of this treaty; for my commissioners are so well chosen, though I say it, that they will neither be threatened nor disputed from the grounds I have given them; which, upon my word, is according to the little note thou so well remembers. And, in this, not only their obedience, but their judgments concur. I confess, in some respects, thou hast reason to bid me beware of going too soon to London; for, indeed, some amongst us had a greater mind, that way, than was fit; of which persuasion, Percy is one of the chief, who is, shortly, like to see thee; of whom having said this, it is enough to shew thee how he is to be trusted, or believed by thee concerning our proceedings here. In short, there is little or no appearance, but that this summer will be the hottest for war of any that hath been yet; and be confident, that, in making peace, I shall ever shew my constancy in adhering to bishops, and all our friends, and not forget to put a short period to this perpetual parliament. But, as thou loves me, let none persuade thee to slacken thine assistance from him who is eternally thine,
C. R.

15

Oxford, Feb. 25, 1645.

3. 20.

To my wife, Feb. 15, 1645, by P. A.

This is a true copy examined by Edmund Prideaux.

22.

Dear Heart,

NOW is come to pass what I foresaw, the fruitless end (as to a present peace) of this treaty; but I am still confident, that I shall find very good effects of it; for, besides that my commissioners have offered, to say no more, full measured reason, and the rebels have stuck rigidly to their demands, which, I dare say, had been too much, though they had taken me prisoner: so that, assuredly, the breach will light foully upon them. We have likewise, at this time, discovered, and shall make it evidently appear to the world, that the English rebels (whether basely or ignorantly, will be no very great difference) have, as much as in them lies, transmitted the command of Ireland from the crown of England to the Scots, which, besides the reflexion it will have upon these rebels, will clearly shew, that reformation of the church is not the chief, much less the only end of the Scottish rebellion; but, it being presumption, and no piety, so to trust to a good cause, as not to use all lawful means to maintain it, I have thought of one means more to furnish thee with for my assistance, than hitherto thou hast had: It is, that I give thee power to promise, in my name, to whom thou thinkest most fit, that I will take away all the penal laws against the Roman Catholicks in England, as soon as God shall inable me to do it; so as, by their means, or in their favours, I may have so powerful assistance, as may deserve so great a favour, and inable me to do it. But, if thou ask what I call that assistance, I answer, that, when thou knowest what may be done for it, it will be easily seen, if it deserve to

be so esteemed. I need not tell thee what secrecy this business requires, yet this I will say, that this is the greatest point of confidence I can express to thee; for it is no thanks to me to trust thee in any thing else, but in this, which is the only thing of difference in opinion betwixt us; and yet I know, thou wilt make as good a bargain for me, even in this. In trusting thee, though it concern religion, as if thou wert a protestant, the visible good of my affairs so much depending on it, I have so fully intrusted this bearer, Pooly, that I will not say more to thee now, but that herewith I send thee a new cypher, assuring thee, that none hath, or shall have, any copy of it but myself, to the end thou mayest use it, when thou shalt find fit to write any thing, which thou wilt judge worthy of thy pains to put in cypher, and to be decyphered by none but me, and so likewise from him to thee, who is eternally thine.

20. *Edmund Prideaux* 23.

To my wife, March 5, 1645, by Pooly.

This is a true copy examined by Edmund Prideaux.

33.

The little, that is here in cypher, is in that which I sent to thee by Pooly.

Oxford, Wednesday, April 9, 1645.

Dear Heart,

THOUGH it be an uncomfortable thing to write by a slow messenger, yet all occasions of this, which is now the only way of conversing with thee, are so welcome to me, as I shall be loth to lose any; but expect neither news or publick business from me, by this way of conveyance; yet, judging thee by myself, even these nothings will not be unwelcome to thee, though I should chide thee, which, if I could, I would do, for thy too sudden taking alarms; I pray thee consider, since I love thee above all earthly things, and that my contentment is inseparably conjoined with thine, must not all my actions tend to serve and please thee? If thou knew what a life I lead (I speak not in respect of the common distractions) even in point of conversation, which, in my mind, is the chief joy or vexation of one's life, I dare say thou would pity me; for some are too wise, others too foolish, some too busy, others too reserved, many fantastick. In a word, when I know none better (I speak not now in relation to business) than 359. 8. 270. 55. 5. 7. 67. 18. 294. 35. 69. 16. 54. 6. 38. 1. 67. 68. 9. 66. thou may easily judge how my conversation pleaseth me. I confess, thy company hath, perhaps, made me in this hard to be pleased, but not less to be pitied by thee, who art the only cure for this disease. The end of all is this, to desire thee to comfort me, as often as thou can, with thy letters; and dost not thou think, that, to know particulars of thy health, and how thou spendest the time, are pleasing subjects unto me, though thou hast no other business to write of? Believe me, sweet heart, thy kindness is as necessary to comfort my heart, as thy assistance is for my affairs.

To my wife, 9 April, 1645, by Binion.

This is a true copy, examined by Miles Corbet.

X.

*Oxford, Thursday, March 20.**Dear Heart,*

UPON Saturday last I wrote to thee by Sabran, but this I believe may come as soon to thee, and I have received thine, of the seventh, upon Monday last, which gave me great contentment, both in present and expectation, the quick passage being likewise a welcome circumstance; and yet I cannot but find a fault of omission in most of thy later dispatches, there being nothing in them concerning thy health. For though I confess, that, in this, no news is good news, yet I am not so satisfied, without a more perfect assurance, and I hope thou wilt, by satisfying me, confess the justness of this my exception. I am now full fraught with expectation, I pray God send me a good unlading, for I look daily for some blow of importance to be given about Taunton, or Shrewsbury; and I am confidently assured of a considerable and sudden supply of men from from Ireland. Likewise the refractory horse, as the London rebels call them, may be reckoned in, for yet it is not known what fomenters they have, or whether they have none; if the latter, there is the more hope of gaining them to me; howsoever, I doubt not, but, if they stand out, as it is probable, good use may be made of them. Of this I believe to give thee a perfecter account next week, having sent to try their pulses; Petit came yesterday, but he, having at London thrust his dispatches into the states ambassador's packets, I have not yet received them, and I would not stay to lengthen this in answer of them, nor give thee half-hopes of good western news, knowing of an opportunity for writing to thee within these three or four days; only I congratulate with thee for the safe arrival of thy tin-adventure at Calais, and so farewell, sweet heart.

Thine of the tenth I have newly received, whereby I find that thou much mistakes me concerning Ireland, for I desire nothing more than a peace there, and never forbad thy commerce there; only I gave thee warning of some Irish in France, whom I then thought, and now know to be knaves.

To my wife, March the 20th, 1644-5, by P. A.

This is a true copy, examined by Edmund Prideaux.

XI.

*Droitwich, Wednesday, May 14.**Dear Heart,*

MARCHING takes away the conveniency of sending my letters so safe and quick to thee, as when I was at Oxford, however, I shall not fail to do what I can to send often to thee; there is so little news for the present, as I will leave that subject for others, only, upon Saturday last, I received a dispatch from Montrose, which assures me his condition to be so good, that he bids me be confident, that his countrymen shall do me no great harm this year, and, if I could lend him but five-hundred horse, he would undertake to bring me twenty thousand men before the end of this summer. For the general state of my affairs, we all here think to be very hopeful, this army being of a good strength, well ordered, and increasing; my son's such, that Fairfax will not be refused

to be fought with, of which I hope thou wilt receive good satisfaction from himself. It is true that I cannot brag for store of money, but a sharp sword always hinders starving at least, and I believe the rebels coffers are not very full (and certainly we shall make as good a shift with empty purses as they) or they must have some greater defect, else their levies could not be so backward as they are, for, I assure thee, that I have at this instant many more men in the field than they. I am not very confident what their northern forces are, but expect they are much stronger than I am made believe. I may likewise include them.

Now I must make a complaint to thee of my son Charles, which troubles me the more, that thou mayest suspect I seek, by equivocating, to hide the breach of my word, which I hate above all things, especially to thee: It is this, he hath sent to desire me, that Sir John Greenfield may be sworn gentleman of his bedchamber, but already so publicly engaged in it, that the refusal would be a great disgrace, both to my son and the young gentleman, to whom it is not fit to give a just distaste, especially now, considering his father's merits, his own hopefulness, besides the great power that family has in the west; yet I have refused the admitting of him, until I shall hear from thee. Wherefore, I desire thee first to chide my son, for engaging himself without one of our consents; then, not to refuse thy own consent; and, lastly, to believe, that directly or indirectly I never knew of this while yesterday, at the delivery of my son's letter; so farewell, sweet-heart, and God send me good news from thee.

To my wife, May 14, 1645.

This is a true copy, examined by Miles Corbet.

XII.

Dear Heart,

I know thy affection to me so truly grounded, that thou wilt be in as much, if not more, trouble to find my reputation, as my life in danger; therefore, lest the false sound of my offering a treaty to the rebels upon base and unsafe terms should disturb thy thoughts, I have thought it necessary, to assure thy mind from such rumours, to tell thee the ways I have used to come to a treaty, and upon what grounds. I shall first shew thee my grounds, to the end thou may the better understand and approve of my ways; then know, as a certain truth, that all, even my party, are strangely impatient for peace, which obliged me so much the more, at all occasions, to shew my real intentions to peace; and likewise I am put in very good hope, some hold it a certainty, that, if I could come to a fair treaty, the ring-leading rebels could not hinder me from a good peace; first, because their own party are most weary of the war, and likewise for the great distractions, which, at this time, most assuredly are amongst themselves, as presbyterians against independents in religion, and general against general, in point of command: upon these grounds a treaty being most desirable, not without hope of good success, the most probable means to procure it was to be used, which might stand with honour and safety; amongst the rest, for I will omit all those which are unquestionably counselable, the sound of my return to London was thought to have so much force of

popular rhetorick in it, that, upon it, a treaty would be had, or, if refused, it would bring much prejudice to them, and advantage to me; yet, lest foolish or malicious people should interpret this as to proceed from fear or folly, I have joined conditions with the proposition (without which this sound will signify nothing) which thou wilt find to be most of the chief ingredients of an honourable and safe peace. Then observe, if a treaty at London with commissioners for both sides may be had without it, it is not to be used: nor, in case they will treat with no body but myself, so that the condition save any aspersion of dishonour, and the treating at London, the malignity which our factious spirits here may infuse into this treaty upon this subject. This, I hope, will secure thee from the trouble, which otherwise may be caused by false malicious rumours; and though I judge myself secure in thy thoughts, from suspecting me guilty of any baseness, yet I held this account necessary, to the end thou may make others know, as well as thyself, this certain truth, that no danger of death or misery, which I think much worse, shall make me do any thing unworthy of thy love. For the state of my present affairs, I refer thee to 92. concluding, as I did in my last to thee, by conjuring thee, as thou lovest me, that no appearance of peace, and now I add, nor hopeful condition of mine, make thee neglect to haste succour for him who is eternally thine.

Copy to my wife, December, 1644, by Thomas Elliot.

This is a true copy, examined by Edmund Prideaux.

XIII.

Oxford, March 13, O. S.

Dear Heart,

WHAT I told thee the last week, concerning a good parting with our lords and commons here, was on Monday last handsomely performed, and now if I do any thing unhandsome, or disadvantageous to myself or friends, in order to a treaty, it will be merely my own fault; for, I confess, when I wrote last, I was in fear to have been pressed to make some mean overtures, to renew the treaty, knowing that there was great labouring to that purpose: But now I promise thee, if it be renewed (which I believe will not, without some eminent good success on my side) it shall be to my honour and advantage, I being now as well freed from the place of base and mutinous motions, that is to say, our mongrel parliament here, as of the chief causers, for whom I may justly expect to be chidden by thee, for having suffered thee to be vexed by them, Wilmot being already there, Percy, on his way, and Sussex, within few days, taking his journey to thee, but that I know, thou carest not for a little trouble to free me from great inconveniencies; yet I must tell thee, that, if I knew not the perfect steadiness of thy love to me, I might reasonably apprehend, that their repair to thee would rather prove a change, than an end of their villainies; and I cannot deny, but my confidence in thee was some cause of this permissive trouble to thee.

I have received thine of the third of March, by which thou puts me in hope of assistance of men and money, and it is no little expression of thy love to me, that, because of my business, festivals are troublesome

to thee; but I see that assemblies in no countries are very agreeable to thee, and it may be done a purpose to make thee weary of their companies; and excuse me to tell thee in earnest, that it is no wonder, that mere statesmen should desire to be rid of thee; therefore I desire thee to think, whether it would not advantage thee much to make a personal friendship with the Queen Regent, without shewing any distrust of her ministers, though not wholly trusting to them; and to shew her, that, when her regency comes out, and possibly before, she may have need of her friends, so that she shall but serve herself by helping of thee; and to say no more, but certainly, if this rebellion had not begun to oppress me when it did, a late great queen had ended more glorious than she did. In the last place, I desire thee to give me a weekly account of thy health, for I fear, lest in that alone thou takest not care enough to express thy kindness to him, who is eternally thine.

The northern news is rather better, than what we first heard, for what, by Sir Marmaduke Langdale's, and Montrose's victories, Carlisle and the rest of our northern garisons are relieved, and we hope for this year secured; and, besides all this, the northern horse are already returned, and joined with my nephew Rupert.

To my wife, March 13, 1644-5, by P. A.

This is a true copy, examined by Edmund Prideaux.

XIV.

Daintry, Sunday, June 8.

Dear Heart,

OXFORD being free, I hope this will come sooner to thee, than otherwise I could have expected; which makes me believe, that my good news will not be very stale; which, in short, is this: Since the taking of Leicester, my marching down hither to relieve Oxford made the rebels raise their siege, before I could come near them, having had their quarters once or twice beaten up by that garison, and lost four-hundred men at an assault before Bostoll-house. At first I thought they would have fought with me, being marched as far as Brackley, but are since gone aside to Brickhill, so as I believe they are weaker than they are thought to be; whether by their distractions, which are certainly very great (Fairfax and Brown having been at cudgels, and his men and Cromwell's likewise at blows together, where a captain was slain) or wasting their men, I will not say: Besides, Goring hath given a great defeat to the western rebels, but I do not yet know the particulars; wherefore I may, without being too much sanguine, affirm, that, since this rebellion, my affairs were never in so fair and hopeful a way; though among ourselves we want not our own follies, which it is needless, and, I am sure, tedious to tell thee, but such as, I am confident, shall do no harm, nor much trouble me: Yet I must tell thee, that it is thy letter by Fitz-Williams, assuring me of thy perfect recovery with thy wonted kindness, which makes me capable of taking contentment in these good successes; for, as divers men propose several recompences to themselves, for their pains and hazard in this rebellion, so thy company is the only reward I expect and wish for.

To my wife, June 9, 1645.

This is a true copy, examined by Miles Corbet.

XV.

Dear Heart,

SUNDAY last, I received three letters from thee; one a duplicate of the thirtieth of December, another of the sixth of January, and the last of the fourteenth of January; and even now one Petit is come with a duplicate of the last; wherein, as I infinitely joy in the expressions of thy confident love of me, so I must extremely wonder, that any, who pretends to be a friend to our cause (for I believe thou wouldest not mention any information from the other side) can invent such lyes, that thou hast had ill offices done to me by any; or that thy care for my assistance hath been the least suspected; it being so far from truth, that the just contrary is true. For I protest to God, I never heard thee spoken of, but with the greatest expressions of estimation for thy love to me, and particularly for thy diligent care for my assistance: But I am confident, that it is a branch of that root of knavery, which I am now digging at; and of this I have more than a bare suspicion. And, indeed, if I were to find fault with thee, it should be for not taking so much care of thine own health, as of my assistance; at least, not giving me so often account of it, as I desire, these three last making no mention of thyself. Now, as for the treaty (which begins this day) I desire thee to be confident, that I shall never make a peace by abandoning my friends, nor such an one as will not stand with my honour and safety; of which I will say no more, because, knowing thy love, I am sure thou must believe me, and make others likewise confident of me.

I send thee herewith my directions to my commissioners, but how I came to make them myself, without any others, Digby will thee, with all the news, as well concerning military, as cabalistical matters: at this time I will say no more, but that I shall in all things (only not answering for words) truly shew myself to be eternally thine.

The Portuguese agent hath made me two propositions: First, concerning the release of his master's brother, for which I shall have fifty-thousand pounds, if I can procure his liberty from the King of Spain: the other is for a marriage betwixt my son Charles and his master's eldest daughter: for the first, I have freely undertaken to do what I can; and, for the other, I will give such an answer as shall signify nothing.

I desire thee not to give too much credit to Sabran's relations, nor much countenance to the Irish agents in Paris; the particular reasons thou shalt have by Pooly, whom I intend for my next messenger. In the last place, I recommend to thee the care of Jersey and Guernsey, it being impossible for us here to do much, tho' we were rich, being weak at sea.

To my wife, Jan. 30, 1644-5. By Legge.

This is a true copy, examined by Edmund Prideaux.

XVI.

Ormond,

THE impossibility of preserving my protestant subjects in Ireland, by a continuation of the war, having moved me to give you those powers and directions, which I have formerly done, for the concluding

of a peace there; and, the same growing daily much more evident, that alone were reason enough for me to enlarge your powers, and to make my commands in the point more positive. But, besides these considerations, it being now manifest, that the English rebels have, as far as in them lies, given the command of Ireland to the Scots; that their aim is at a total subversion of religion and regal power; and that nothing less will content them, or purchase peace here, I think myself bound in conscience not to let slip the means of settling that kingdom, if it may be, fully under my obedience; nor to lose that assistance, which I may hope from my Irish subjects, for such scruples as, in a less pressing condition, might reasonably be stuck at by me: For their satisfaction, I do therefore command you to conclude a peace with the Irish, whatever it cost, so that my protestant subjects there may be secured, and my regal authority preserved; but, for all this, you are to make me the best bargain you can, and not discover your enlargement of power, till you needs must. And, though I leave the managing of this great and necessary work intirely to you, yet I cannot but tell you, that, if the suspension of Poyning's act, for such bills as shall be agreed upon between you there, and the present taking away of the penal laws against papists by a law, will do it, I shall not think it a hard bargain, so that freely and vigorously, they engage themselves in my assistance, against my rebels of England and Scotland; for which no conditions can be too hard, not being against conscience, or honour.

Copy to Ormond, Feb. 27, 1644-5.

A true copy, Zouch Tate.

To Ormond,

Oxford, Feb. 16, 1644.

Ormond,

I SHOULD wrong my own service, and this gentleman, Sir Timothy Fetherston, if I did not recommend him and his business to you; for the particulars of which, I refer you to Digby: And now again I cannot but mention to you the necessity of the hastening of the Irish peace, for which I hope you are already furnished by me, with materials sufficient; but, in case, against all expectation and reason, peace cannot be had upon those terms, you must not, by any means, fall to a new rupture with them, but continue the cessation, according to a postscript in a letter by Jack Barry, a copy of which dispatch I herewith send you. So I rest.

P. S. In case, upon particular men's fancies, the Irish peace should not be procured, upon powers I have already given you, I have thought good to give you this further order, which I hope will prove needless, to seek to renew the cessation for a year, for which, you shall promise the Irish, if you can have it no cheaper, to join with them against the Scots and Inchequin; for I hope, by that time, my condition may be such, as the Irish may be glad to accept less, or I be able to grant more.

A true copy, Zouch Tate.

To Ormond,

*Oxford, Jan. 7, 1644-5.**Ormond,*

UPON the great rumours and expectations, which are now of peace, I think it necessary to tell you the true state of it, lest mistaken reports from hence might trouble my affairs there:

‘The rebels here have agreed to treat, and, most assuredly, one of the first and chief articles, they will insist on, will be, to continue the Irish war, which is a point not popular for me to break on; of which, you are to make a double use: First, to hasten, with all possible diligence, the peace there; the timely conclusion of which will take off that inconvenience, which otherways I may be subject to, by the refusal of that article, upon any other reason. Secondly, by dexterous conveying to the Irish the danger there may be of their total and perpetual exclusion from those favours I intend them, in case the rebels here clap up a peace with me, upon reasonable terms, and only exclude them; which, possibly, were not counselable for me to refuse, if the Irish peace should be the only difference betwixt us, before it were perfected there: These, I hope, are sufficient grounds for you to persuade the Irish diligently, to dispatch a peace upon reasonable terms, assuring them, that, you having once fully engaged to them my word, in the conclusion of a peace, all the earth shall not make me break it.

But not doubting of a peace, I must again remember you to press the Irish, for their speedy assistance to me here, and their friends in Scotland: My intention being to draw from thence into Wales, the peace once concluded, as many as I can, of my armed protestant subjects, and desire, that the Irish would send as great a body as they can, to land about Cumberland, which will put those northern counties, in a brave condition; wherefore you must take speedy order to provide all the shipping you may, as well Dunkirk, as Irish bottoms; and remember that, after March, it will be most difficult to transport men from Ireland to England, the rebels being masters of the seas: So expecting a diligent and particular account, in answer to this letter, I rest

Your most assured constant Friend,

CHARLES R.

A true copy, Zouch Tate.

To Ormond,

*December 15, 1644.**Ormond,*

I AM sorry to find by Colonel Barry the sad condition of your particular fortune, for which I cannot find so good and speedy remedy as the peace of Ireland, it being likewise to redress most necessary affairs here; wherefore I command you to dispatch it out of hand, for the doing of which, I hope my publick dispatch will give you sufficient in-

struction and power; yet I have thought it necessary, for your more encouragement in this necessary work, to make this addition with my own hand. As for Poyning's act, I refer you to my other letter; and for matter of religion, though I have not found it fit to take publick notice of the paper, which Brown gave you, yet I must command you to give him my Lord Muskery and Plunket particular thanks for it, assuring them that, without it, there could have been no peace; and that sticking to it, their nation in general, and they in particular, shall have comfort, in what they have done; and to shew that this is more than words, I do hereby promise them, and command you to see it done, That the penal statutes against Roman catholicks shall not be put in execution, the peace being made, and they remaining in their due obedience; and further, that when the Irish give me that assistance, which they have promised, for the suppression of this rebellion, and I shall be restored to my rights, then I will consent to the repeal of them by a law; but all those against appeals to Rome and Premunire must stand. All this in cypher you must impart to none, but those three already named, and that with injunction of strictest secrecy: So again, recommending to your care the speedy dispatch of the peace of Ireland, and my necessary supply from thence, as I wrote to you, in my last private letter, I rest.

A true copy, Zouch Tate.

The Earl of Glarmogan's instructions to me, to be presented to your Majesty.

THAT, God willing, by the end of May, or beginning of June, he will land with six-thousand Irish.

That the gentlemen of the several counties of Monmouth, Glamorgan, Brecknock, and Caermarthen, will very speedily for your majesty's service, in securing these parts, raise and arm four-thousand men.

That, with the ships, which shall bring over the Irish, his lordship designs to block up Milford Haven, at which time, he doubts not to draw these Welch forces into Pembrokeshire.

That, to advance these his undertakings, he hath thirty-thousand pounds ready, ten thousand muskets, two thousand case of pistols, eight hundred barrels of powder, besides his own artillery, and is ascertained of thirty thousand pounds more, which will be ready upon his return.

That he hath intelligence from his ships, that divers Hollanders and Dunkirkers come in daily to him.

In order to this service, he commanded me humbly to put your majesty in mind of his commission, and that he may in fitting time have such command in these counties, as may be suitable to his employment, and conducing to the service in hand: These being counties in which, if other designs of landing fail, he can land in: And that your majesty will seriously consider the services he hath done you, in composing the

distractions of the county of Monmouth; and that you will be pleased to countenance Sir Thomas Lundsford, and graciously relieve the country, in such things, as without prejudicing your service, may ease them.

Concerning the county of Monmouth only.

That, by his lordship's means, who hath now raised two regiments himself, Sir Thomas Lundsford's forces will be one-thousand eight-hundred foot, and seven-hundred horse, which horse is intended to be quartered in the forest of Dean, in places of secure quartering, as Langot attempted to have been taken by Sir John Winter, a place of great concernment, both for the reducing the forest, and securing Monmouthshire.

That, by his lordship's intervention and endeavours, your majesty really sees he hath much qualified the sense of the grievances of the county, and moderated their complaints, by subducting the intended petition, and therefore hopes your majesty will so specially commend their humble suit to Prince Rupert, as it may be successful.

That though the prayer of their petition is to reduce the contribution to the proportion set by the parliament at Oxford, yet his Lordship hath so wrought, as these petitioners have under their hands obliged themselves to continue the double payment for two months more, and doubts not, but in relation to the exigence of your majesty's service, to prevail for further time.

His humble suit is, That I may carry with me into the country your majesty's order, that the forces of Sir Thomas Lundsford may not be removed, but upon urgent occasion, until his return: And that only upon your Majesty's or Prince Rupert's special order, otherwise, it will be a great obstruction and discouragement in raising or continuing the number proposed.

That your Majesty will be pleased, in their favour, to write your letter to Prince Rupert, and that the country may have the honour to present it; to the end, they may be eased of free quarter, exactions above their contribution, and unnecessary garisons, that Chepstow, and Monmouth may be the better strengthened.

That Sir Thomas Lundsford may be qualified with authority, to protect them according to such order, as the Prince shall make.

These presented by your

March 21, 1644.

Loyal subject,

EDWARD BOSDON.

This a true copy, Zouch Tate.

Colonel Fitz-Williams humbly prays and propounds as followeth:

THAT your sacred Majesty will vouchsafe to prevail with his Majesty, to condescend to the just demands of his Irish subjects the con

federate catholicks in his Majesty's kingdom of Ireland, at least in private.

That, upon the consideration thereof, Colonel Fitz-Williams humbly propounds and undergoeth, with the approbation of Mr. Hardegan now employed agent, for the said confederate catholicks in France, to bring an army of ten thousand men, and more of his Majesty's subjects in his kingdom of Ireland, for his majesty's service, into England.

That Colonel Fitz-Williams undertakes, for the sum of ten thousand pounds sterling, to levy, ship, and arm the said ten thousand men, and so proportionably, for more or less; and that the said money may be put into such hands, as may be safe for his Majesty, as well as ready for the colonel, when it shall appear, the said army shall be in a readiness to be transported into England.

That, upon the landing the said men, there shall be advanced to the colonel one month's pay for all the army, according to the muster, for the present support of the army.

That Colonel Fitz-Williams may be commander in chief thereof, and dispose of all the officers, and only be commanded by his Majesty, his highness the Prince of Wales, and Prince Rupert, and qualified with such commissions, as have been formerly granted to his Majesty's generals, that have commanded bodies a-part from his Majesty's own army, as the Marquis of Newcastle, the Earl of Kingston, and others, hereby the better to enable him in the levies, as well as in the general conduct of the business; and that, in respect the parliament gives no quarter to his Majesty's Irish subjects, therefore, that the said forces shall not, by any order whatsoever, be divided.

That the colonel may be supplied with a body of horse, of a least two thousand, to be ready at the place of landing.

That the colonel may be provided with ammunition and artillery, or with money requisite for himself, to provide necessary proportions for to bring with him.

That the army shall be paid, as other armies of his Majesty.

Having taken these propositions into consideration, we have thought fit to testify our approbation and agreement thereunto, under our sign manual, assuring, what hath been desired of us therein shall be forthwith effectually endeavoured, and not doubting, to the satisfaction of the confederate catholicks of his Majesty's kingdom of Ireland, and to the said Colonel Fitz-Williams, so that we may justly expect an agreeable compliance and performance accordingly, from all parties, in these several concernments.

This is a true copy of the original, sent by her Majesty to the King, May 16, 1645.—A. Lowly, secretary to the right honourable the Lord Jermin.

A true copy, Zouch Tate.

To my wife, by Choquen, Jan. 14, 1644-5.

Dear Heart,

POOLY came the $\frac{12}{22}$ Jan. to whose great dispatch, though for some days I cannot give a full answer, I cannot but at this opportunity reply to something in thy letter, not without relating to something of his discourse.

As I confess it a misfortune (but deny it a fault) thy not hearing oftener from me, so excuse me to deny that it can be of so ill consequence as thou mentions, if their affections were so real, as they make shew of to thee; for the difficulty of sending is known to all, and the numbers of each letter will shew my diligence, and certainly there goes no great wit to find out ways of sending; wherefore, if any be neglected more, then our wits are faulty: But to imagine it can enter into the thought of any flesh living, that any body here should hide from thee what is desired that every man should know (excuse me to say it) is such a folly, that I shall not believe that any can think it, though he say it: And, for my affection to thee, it will not be the miscarrying of a letter or two that will call it in question; but take heed that these discourses be not rather the effect of their weariness of thy company, than the true image of their thoughts; and of this is not the proposal of thy journey to Ireland a pretty instance? For, seriously of itself, I hold it one of the most extravagant propositions that I have heard, thy giving ear to it being most assuredly only to express thy love to me, and not thy judgment in my affairs: As for the business itself (I mean the peace of Ireland) to shew thee the care I have had of it, and the fruits I hope to receive from it, I have sent thee the last dispatches I have sent concerning it, earnestly desiring thee to keep them to thyself; only thou mayest, in general, let the Queen regent and ministers there understand, that I have offered my Irish subjects so good satisfaction, that a peace will shortly ensue, which I really believe. But, for God's sake, let none know the particulars of my dispatches. I cannot but tell thee, that I am much beholden to the Portuguese agent (and little to the French) it being by his means that I have sent thee all my letters, besides expresses, since I came hither, though I expected most from Sabran.

I will not trouble thee with repetitions of news, Digby's dispatch, what I have seen, being so full, that I can add nothing; yet I cannot but paraphrase a little upon that which he calls his superstitious observation: It is this, Nothing can be more evident, than that Strafford's innocent blood hath been one of the great causes of God's just judgments upon this nation, by a furious civil war, both sides hitherto being almost equally punished, as being in a manner equally guilty; but now, this last crying blood being totally theirs, I believe it is no presumption hereafter to hope, that his hand of justice must be heavier upon them, and lighter upon us, looking now upon our cause, having passed by our faults.

This is a true copy examined by Edmund Prideaux.

Copy to the Duke of Richmond.

RICHMOND, I thank you for the account you sent me by this bearer, and have nothing of new to direct you in, but only to remember you that my going to Westmorland is not to be mentioned, but upon probable hopes of procuring a treaty with commissioners there or thereabouts, and that you mention the security I ask with my coming to Westmorland. And I hope I need not remember you to cajole well the Independents and Scots: This bearer will tell you how well our western and northern associations go on, to whom I refer you for other things. I rest.

This is a true copy, *Zouch Tate.*

Oxford, Feb. 1644. Memorials for Secretary Nicholas, concerning the Treaty at Uxbridge.

FIRST, for religion and church government, I will not go one jot further than what is offered by you already.

2. And so for the militia, more than what ye have allowed by me; but even in that you must observe, that I must have free nomination of the full half; as, if the total number, Scots and all, be thirty, I will name fifteen: Yet, if they (I mean the English rebels) will be so base, as to admit of ten Scots to twenty English, I am contented to name five Scots and ten English, and so proportionably to any number that shall be agreed upon.

3. As for gaining of particular persons, besides security, I give you power to promise them rewards for performed services, not sparing to engage for places; so they be not of great trust, nor be taken away from honest men in possession, but as much profit as you will: With this last you are only to acquaint Richmond, Southampton, Culpeper, and Hyde.

This is a true copy, *Zouch Tate.*

Directions for my Uxbridge Commissioners.

First concerning Religion.

IN this government of the church (as I suppose) will be the chief question, wherein two things are to be considered, conscience and policy. For the first, I must declare unto you, that I cannot yield to the change of the government by bishops; not only as I fully concur with the most general opinion of christians in all ages, as being the best, but likewise I hold myself particularly bound by the oath I took at my coronation, not to alter the government of this church from what I found it. And as for the church's patrimony, I cannot suffer any diminution or alienation of it, it being, without peradventure, sacrilege, and likewise contrary to my coronation oath. But whatsoever shall be offered, for

rectifying of abuses, if any hath crept in, or yet for the ease of tender consciences (so that it endamage not the foundation) I am content to hear, and will be ready to give a gracious answer thereunto. For the second, As the King's duty is to protect the church, so it is the church's to assist the King, in the maintenance of his just authority; wherefore my predecessors have been always careful (and especially since the reformation) to keep the dependency of the clergy intirely upon the crown, without which it will scarcely sit fast upon the King's head; therefore you must do nothing to change or lessen this necessary dependency.

Next concerning the Militia.

After conscience, this is certainly the fittest subject, for a King's quarrel; for, without it, the kingly power is but a shadow; and therefore, upon no means to be quitted, but to be maintained according to the ancient known laws of the land; yet because, to attain to this so much wished peace, by all good men, it is in a manner necessary, that sufficient and real security be given for the performance of what shall be agreed upon: I permit you either by leaving strong towns, or other military force, in the rebels possession, until articles be performed, to give such assurance for performance of conditions, as you shall judge necessary, for to conclude a peace: Provided always, that ye take, at least, as great care, by sufficient security, that conditions be performed to me: And to make sure, that, the peace once settled, all things shall return into their ancient channels.

Thirdly, for Ireland.

I confess, they have very specious popular arguments, to press this point, the gaining of no article more conducing to their ends, than this: And I have as much reason, both in honour and policy, to take care how to answer this as any; all the world knows the eminent inevitable necessity, which caused me to make the Irish cessation, and there remain yet as strong reasons, for the concluding of that peace; wherefore ye must consent to nothing to hinder me therein, until a clear way be shewn me, how my protestant subjects there may probably, at least, defend themselves; and that I shall have no more need to defend my conscience and crown, from the injuries of this rebellion.

A true copy, Zouch Tate.

At Uxbridge, on Wednesday the Twenty-ninth of January, 1644, the protestation under-written was unanimously consented unto, and taken by all his Majesty's Commissioners appointed to treat there, touching a well-grounded Peace.

XXV.

I, A. B. being one of the commissioners, assigned by his Majesty, for this present treaty at Uxbridge, do protest and promise, in the sight

of Almighty God, that I will not disclose nor reveal, unto any person or persons whatsoever, who is not a commissioner, any matter or thing, that shall be spoken of, during the treaty by any one, or more of his Majesty's commissioners, in any private debate amongst ourselves, concerning the said treaty; so as to name, or describe directly or indirectly, the person or persons, that shall speak any such matter or thing, unless it be, by the consent of all the said commissioners, that shall be then living.

Memorandum, That it is by all the said commissioners agreed, That this shall not bind, where any ten of the commissioners shall agree to certify his Majesty the number of assenters or dissenters, upon any particular result, in this treaty, not naming or describing the persons.

This is a true copy, examined by Zouch Tate.

The Queen to the King, from York.

March 30, 1644; also April.

My Dear Heart,

I NEED not tell you, from whence this bearer comes; only I will tell you, That the propositions, which he brings you, are good, but 260 and I believe that it is not yet time to put them into execution; therefore, find some means, to send them back, which may not discontent them, and do not tell, who gave you this advice. Sir Hugh Cholmley is come, with a troop of horse, to kiss my hands; the rest of his people he left at Scarborough, with a ship laden with arms, which the ships of the parliament had taken and brought thither, so she is ours; the rebels have quitted Tadcaster, upon our sending forces to Wetherby, but they are returned, with twelve hundred men; we send more forces to drive them out, though those, we have already at Wetherby, are sufficient, but we fear lest they have all their forces thereabouts, and lest they have some design; for they have quitted Selby and Cawood, the last of which they have burnt. Between this and to-morrow night, we shall know the issue of this business, and I will send you an express. I am more careful to advertise you of what we do, that you and we may find means to have passports to send; and I wonder, that upon the cessation, you have not demanded, that you might send in safety. This shews my love. I understand to-day, from London, that they will have no cessation, and that they treat, at the beginning of the two first articles, which is of the forts, ships, and ammunition, and afterwards of the disbanding of the army. Certainly, I wish a peace more than any, and that with greater reason: But I would have the disbanding of the perpetual parliament, first; and, certainly, the rest will be easily afterwards. I do not say this of my own head alone, for generally, both those who are for you, and against you, in this country, wish an end of it; and I am certain, that if you do demand it at the first, in case it be not granted, Hull is ours, and all Yorkshire, which is a thing to consider of; and for my particular, if you make a peace and disband your army, before there is an end to this perpetual

parliament, I am absolutely resolved to go into France, not being willing to fall again into the hands of those people, being well assured, that if the power remain with them, it will not be well for me in England; remember what I have written to you in three precedent letters, and be more careful of me, than you have been, or at the least dissemble it, to the end, that no notice be taken of it. Adieu, the man hastens me, so that I can say no more.

York, this Thirtieth of March.

THIS letter should have gone by a man of Master Denedsdale, who is gone, and all the beginning of this letter was upon this subject; and therefore by this man it signifies nothing; but the end was so pleasing, that I do not forbear to send it to you: You now know, by Elliot, the issue of the business of Tadcaster, since we had almost lost Scarborough, whilst Cholmley was here. Brown Bushell would have rendered it up to the parliament; but Cholmley, having had notice of it, is gone with our forces, and hath retaken it; and hath desired to have a lieutenant, and forces of ours, to put within it, for which we should take his; he hath also taken two pinnaces from Hotham, which brought forty-four men, to put within Scarborough, ten pieces of cannon, four barrels of powder, and four of bullet. This is all our news; our army marches to-morrow, to put an end to Fairfax's Excellency. And I will make an end of this letter, this third of April. I have had no news of you, since Parsons.

March 30, April 3.

A true copy, P. W.

The Queen to the King, from Bath.

April 21, 1644.

My Dear Heart,

FREDERICK CORNWALLIS will have told you all our voyage as far as Adbury, and the state of my health; since my coming hither, I find myself so ill, as well in the ill rest, that I have, as in the increase of my rheum.

I hope, that this day's rest will do me good; I go to-morrow to Bristol, to send you back the carts, many of them are already returned; My Lord Dillon told me, not directly from you, though he says you approve it that it was fit, I should write a letter to the commissioners of Ireland, to this effect: That they ought to desist from those things for the present, which they had put in their paper, and to assure them, That when you shall be in another condition, than you are now, you will give them contentment.

I thought it to be a matter of so great engagement, that I dare not do it without your command; therefore, if it please you, that I should do so, send me what you would have me write, that I may not do more than what you appoint: And also that it being your command, you

may hold to that which I promise; for I should be very much grieved to write any thing, which I would not hold to, and when you have promised it me, I will be confident. I believe also, that to write to my Lord Muskery, without the rest, will be enough; for the letter, which I shall write to him, shall be with my own hand; and, if it be to all your commissioners, it shall be by the secretary. Farewel, my dear heart; I cannot write any more, but that I am absolutely

Yours.

A true copy, Zouch Tate.

XXIX.

The Queen to the King.

Paris, January 1644-5.

I HAVE received one of your letters, dated from Marleborough, of an old date, having received many others more fresh, to which I have made answer: I will say nothing concerning this, but only concerning the affair of (Gor.) If it be not done, it is time, being very seasonable at this time, which I did not believe before. I understand, that the commissioners are arrived at London; I have nothing to say, but that you have a care of your honour, and that if you have a peace, it may be such as may hold; and if it fall out otherwise, that you do not abandon those who have served you, for fear they do forsake you in your need. Also I do not see, how you can be in safety, without a regiment of guards; for myself, I think I cannot be, seeing the malice which they have, against me, and my religion, of which I hope you will have a care of both; but, in my opinion, religion should be the last thing, upon which you should treat. For if you do agree upon strictness against the catholicks, it would discourage them to serve you, and, if afterwards there should be no peace, you could never expect succours, either from Ireland, or any other catholick prince, for they would believe, you would abandon them, after you have served yourself. I have dispatched an express into Scotland, to Montrose, to know the condition he is in, and what there is to be done. This week, I send to Mr. of Lorrain, and into Holland, I lose no time; if I had more of your news, all would go better. Adieu, my dear heart.

My Wife, $\frac{16}{27}$ December, January 1644-5.

A true copy, Zouch Tate.

XXX.

The Queen to the King, Paris, Jan. 27, 1644-5; also, March 13.

Paris, Jan. $\frac{16}{27}$.

My Dear Heart,

TOM ELLIOT, two days since, hath brought me much joy and sorrow; the first, to know the good estate in which you are in; the

other, the fear I have that you go to London. I cannot conceive where the wit was of those who gave you this counsel, unless it be to hazard your person to save theirs: but, thanks be to God, to-day I received one of yours, by the ambassador of Portugal, dated in January, which comforted me much to see that the treaty shall be at Uxbridge. For the honour of God, trust not yourself in the hands of these people; and, if you ever go to London, before the Parliament be ended, or without a good army, you are lost. I understand, that the propositions for the peace must begin by disbanding the army; if you consent to this, you shall be lost, they having the whole power of the militia; they have done, and will do whatsoever you will. I received yesterday letters from the Duke of Lorrain, who sends me word, if his service be agreeable to you, he will bring you ten-thousand men. Dr. Goffe, whom I have sent into Holland, shall treat with him in his passage upon this business; and I hope very speedily to send good news of this, as also of the money. Assure yourself I will be wanting in nothing you shall desire, and that I will hazard my life, that is, to die by famine, rather than not send to you; send me word always by whom you receive my letters, for I write both by the ambassador of Portugal, and the resident of France. Above all, have a care not to abandon those who have served you, as well the bishops, as the poor Catholick. Adieu. You will pardon me, if I make use of another to write, not being able to do it; yet myself in cyphers shew to my nephew Rupert, that I intreat you to impart all that I write to you, to the end that he may know the reason why I write not to him; I know not how to send great packets.

My wife, $\frac{1}{2}$ Jan. 1644-5.

A true copy, Zouch Tate.

Paris, March 13.

My Dear Heart,

SINCE my last, I have received one of your letters, marked 16, by which you signify the receipt of my letters by Pooly, which hath a little surprised me, it seeming to me, that you write, as if I had in my letter something which had displeased you: if that hath been, I am very innocent in my intention. I only did believe, that it was necessary you should know all. There is one other thing in your letter, which troubles me much; where you would have me keep to myself your dispatches, as if you believe that I should be capable to shew them to any, only to Lord Jermyn to uncypher them, my head not suffering me to do it myself; but, if it please you, I will do it, and none in the world shall see them. Be kind to me, or you kill me. I have already affliction enough to fear, which without you I could not do, but your service surmounts all. Farewel, my dear heart. Behold the mark, which you desire to have to know when I desire any thing in earnest, +; and I pray, begin to remember what I spoke to you concerning Jack Barclay for master of the wards. I am not engaged, nor will not be, for the places of Lord Per. and others; do you accordingly.

March 13, 1644.

*My Dear Heart,**Newark, June 27.*

I received just now your letter by my Lord Saville, who found me ready to go away, staying but for one thing, for which you will well pardon two days stop; it is, to have Hull and Lincoln. Young Hotham, having been put in prison by order of parliament, is escaped, and hath sent to 260. that he would cast himself into his arms, and that Hull and Lincoln should be rendered: He is gone to his father, and 260. writes for your answer; so that I think I shall go hence Friday or Saturday, and shall go lie at Werton; and from thence to Ashby, where we will resolve what way to take; and I will stay there a day, because that the march of the day before will have been somewhat great, and also to know how the enemy marches, all their forces at Nottingham, at present, being gone to Leicester and Derby, which makes us believe, that it is to intercept our passage. As soon as we have resolved, I will send you word. At this present, I think it fit to let you know the state in which we march, and what I leave behind me for the safety of Lincolnshire and Nottinghamshire. I leave two-thousand foot, and wherewithal to arm five-hundred more, and twenty companies of horse; all this to be under Charles Cavendish, whom the gentlemen of the county have desired me not to carry with me, against his will, for he desired extremely to go. The enemies have left within Nottingham one thousand. I carry with me three-thousand foot, thirty companies of horse and dragoons, six pieces of cannon, and two mortars. Harry Jermyn commands the forces which go with me, as colonel of my guard, and Sir Alexander Lesley the foot under him, and Gerard the horse, and Robin Legge the artillery, and her she-majesty generalissima, and extremely diligent, with an hundred and fifty waggons of baggage to govern, in case of battle. Have a care, that no troop of Essex's army in commodate us, for I hope that for the rest we shall be strong enough, for at Nottingham we have had the experience, one of our troops having beaten six of their's, and made them fly. I have received your proclamation, or declaration, which I wish had not been made, being extremely disadvantageous for you; for you shew too much fear, and do not what you had resolved upon. Farewel, my dear heart.

The Queen to the King, June 27, 1643.

CHARLES Rex.

IT is not unknown, both to the French King and his mother, what unkindnesses and distastes have fallen between my wife and me; which hitherto I have borne with great patience, as all the world knows, ever expecting and hoping an amendment, knowing her to be but young, and perceiving it to be the ill crafty counsels of her servants, for advancing of their own ends, rather than her own inclination: for, at my first meeting of her at Dover, I could not expect more testimonies of respect and love, than she shewed; as, to give one instance: Her first suit was, that she, being young, and coming to a strange country, both by her years, and ignorance of the customs of the place, might commit many errors, therefore that I would not be angry with her for her faults of ignorance, before I had with my instructions learned her to eschew them: and desired me, in these cases, to use no third person, but to tell her myself, when I found she did any thing amiss. I both

granted her request, and thanked her for it, but desired that she would use me as she had desired me to use her; which she willingly promised me: which promise she never kept; for, a little after this, madam St. George, taking a distaste, because I would not let her ride with us in the coach, when there were women of better quality to fill her room, claiming it as her due (which, in England, we think a strange thing) set my wife in such an humour of distaste against me, as, from that very hour to this, no man can say, that ever she used me, two days together, with so much respect as I deserved of her, but, on the contrary, has put so many disrespects on me, that it were too long to set down all. Some I will relate: as I take it, it was at her first coming to Hampton-Court, I sent some of my council to her, with those orders that were kept in the queen my mother's house, desiring she would command the count of Tilliers, that the same might be kept in her's. Her answer was, she hoped, that I would give her leave to order her house as she list herself. Now, if she had said, that she would speak with me, not doubting to give me satisfaction in it, I could have found no fault with her, whatsoever she would have said of this to myself, for I could only impute it to ignorance; but I could not imagine, that she affronted me so, as to refuse me in such a thing publicly. After I heard this answer, I took a time, when I thought we had both best leisure to dispute it, to tell her calmly both her fault in the publick denial, and her mistaking of the business itself. She, instead of acknowledging her fault and mistaking, gave me so ill an answer, that I omit, not to be tedious, the relation of that discourse, having too much of that nature hereafter to relate. Many little neglects I will not take the pains to set down: as, her eschewing to be in my company; when I have any thing to speak to her, I must means her servant first, else I am sure to be denied; her neglect of the English tongue, and of the nation in general. I will also omit the affront she did me before my going to this last unhappy assembly of parliament, because there has been talk enough of that already, &c. the author of it is before you in France. To be short, omitting all other passages, coming only to that which is most recent in memory: I having made a commission to make my wife's jointure, &c. to assign her those lands she is to live on, and it being brought to such a ripeness, that it wanted but my consent to the particulars they had chosen, she, taking notice that it was now time to name the officers for her revenue, one night, when I was in bed, put a paper into my hand, telling me it was a list of those that she desired to be of her revenue. I took it, and said I would read it next morning, but, withal, told her, that, by agreement in France, I had the naming of them. She said there were both English and French in the note. I replied, that those English, I thought fit to serve her, I would confirm; but, for the French, it was impossible for them to serve her in that nature. Then she said, all those in the paper had breviatees from her mother and herself, and that she could admit no other. Then I said, it was neither in her mother's power, nor her's, to admit any without my leave; and that, if she stood upon that, whomsoever she recommended should not come in. Then she bade me plainly take my lands to myself; for, if she had no power to put in whom she would in those places, she

would have neither lands nor houses of me, but bade me give her what I thought fit in pension. I bade her then remember to whom she spoke; and told her, that she ought not to use me so. Then she fell into a passionate discourse, how miserable she was, in having no power to place servants, and that businesses succeeded the worse for her recommendation; which when I offered to answer, she would not so much as hear me. Then she went on, saying, she was not of that base quality to be used so ill. Then I made her both hear me, and end that discourse. Thus, having had so long patience with the disturbance of that, that should be one of my greatest contentments, I can no longer suffer those, that I know to be the cause and fomenters of these humours, to be about my wife any longer; which I must do, if it were but for one action they made my wife do, which is, to make her go to Tyburn in devotion to pray; which action can have no greater invective made against it, than the relation. Therefore you shall tell my brother the French King, as likewise his mother, that, this being an action of so much necessity, I doubt not but he will be satisfied with it, especially since he hath done the like himself, not staying while he had so much reason: and, being an action that some may interpret to be of harshness to his nation, I thought good to give him an account of it, because that, in all things, I would preserve the good correspondency, and brotherly affection, that is between us.

His Majesty's instructions, given me at Wanstead, July 12, 1626,
signed 24.

A true copy, Zouch Tate.

Oxford, Jan. 1, 1644-5.

Dear Heart,

I receive it as a good augure thus to begin this new year, having newly received thine of the thirtieth of December; which I cannot stay to decypher, for not losing this opportunity, it likewise being a just excuse for this short account. This day I have dispatched Digby's secretary, fully relating the state of our affairs; therefore, I shall only now tell thee, that the rebels are engaged into an equal treat, without any of those disadvantages, which might have been apprehended when Thomas Elliot went hence, and that the distractions of London were never so great, or so likely to bring good effect, as now; lastly that assistance was never more needful, never so likely as now to do good to him, who is eternally thine.

Copy to my wife, Jan. 1, 1644, by P. A.

This is a true copy, examined by Miles Corbet.

Oxford, Thursday, April 24.

Harry,

LEST my wife should not yet be fit for any business, I write this to you; not to excuse my pains, but ease her's, and that she may know, but not be troubled with my kindness; I refer to your discretion, how to impart my letter to her, or any other business, that so her health in the first place be cared for, then my affairs. And now I must tell you, that undoubtedly, if you had not trusted to Digby's sanguine com-

plexion, not to be rebated from sending good news, you would not have found fault with him, for sending mistaken intelligence, for if he should strictly tie himself to certain truths in this kind, you must have nothing from him, but my proclamations or ordinances from the pretended houses; but tell me, can you not distinguish between what we send you unto certainty, and what upon uncertain reports, without making an oath the mark of distinction, and are you obliged to publish all the news we send you? Seriously I think news may be sometimes too good to be told in the French court; and certainly, there is as much dexterity in publishing of news, as in matters which, at first sight, may seem of greater difficulty; for as I would not have them think that all assistance bestowed upon me were in vain, so I would not have them believe, that I needed no help, lest they should under-hand assist any rebels, to keep the balance of dissension amongst us equal.

For matter of news and present state of my affairs, I refer you to Digby; only this in general, that if it shall please God to assist us this year, but half so miraculously as he did the last, my present state compared with what it was, this time twelve-month, I am very hopeful to see a joyful harvest before next winter; nor do I think this, in any human probability, possible, except my wife can procure me considerable assistance, both of men and money; of which I conceive little reason to despair, your last giving me good hope, concerning Lorraine, and though I say not that, for the other, I have so good an author as 196: yet I hope you will not much blame my confidence, when 149, in her's, the tenth of March, says, *Jay une Affaire assures que vous donnere 40000 pistols, que Je vous eussi envoye si J'eussi lu mon navir revenu avec l'estain.*

In the last place I will impose that upon you, that is not reasonable to expect from my wife, which is, to give me a continual account, what letters she receives from me, and what miscarries or comes slowly; to which end take notice, that all my letters to her are numerarily marked on the top, as this with 37, and likewise I now begin the same with you; so farewell.

In your next, let me know particularly how my wife is, which though it be not as I would have it, yet the perfect knowledge will hinder me to imagine her worse than she is; if well, then every word will please me. I have commanded Digby to write to you freely, concerning William Murry, which I hold to be as necessary concerning Montrose's business.

To the Lord Jermyn, April 24, 1645, concerning France.

A true copy, Zouch Tate.

Dear Heart,

SINCE my last by Choquen, I have had no means of writing, and as little new matter; that which is now, is the progress of the treaty, of which these inclosed papers will give thee a full account; but if thou have them sooner from London than me, thou hast no reason to wonder, considering the length and uncertainty of the way I am forced to send by, in respect of the other; for the business itself, I believe thou wilt approve of my choice of treaters, and for my propositions, they differ nothing in substance, very little in words, from those which were last,

wherefore I need to say nothing of them ; and for my instructions, they are not yet made, but by the next I hope to send them. Now upon the whole matter, I desire thee to shew the queen and ministers there the improbability that this present treaty should produce a peace, considering the great strange difference, if not contrariety, of grounds that are betwixt the rebels propositions and mine, and that I cannot alter mine, nor will they ever theirs, until they be out of hope to prevail by force, which a little assistance, by thy meanes, will soon make them so ; for I am confident, if ever I could put them to a defensive, which a reasonable sum of money would do, they would be easily brought to reason. Concerning our intrigues here at Oxford, I desire thee to suspend thy judgment, for I believe few but partial relations will come to thee, until I shall send some, whom I may trust by word of mouth ; it being too much trouble to us both, to set them down in paper.

Copy to my wife, Jan. 22, 1644.

This is a true copy, examined by Miles Corbet.

Dear Heart,

I never, till now, knew the good of ignorance, for I did not know the danger that thou wert in by the storm, before I had certain assurance of thy happy escape ; we having had a pleasing false report, of thy safe landing at Newcastle, which thine of the 19 Jan. so confirmed us in, that we, at least, were not undeceived of that hope, till we knew certainly how great a danger thou hast passed, of which I shall not be out of apprehension, until I may have the happiness of thy company, for indeed I think it not the least of my misfortunes, that for my sake, thou hast run so much hazard ; in which thou hast expressed so much love to me, that I confess it is impossible to repay, by any thing I can do, much less by words ; but my heart being full of affection for thee, admiration of thee, and impatient passion of gratitude to thee, I could not but say something, leaving the rest to be read by thee, out of thine own noble heart. The intercepting of mine to thee, of the second of February, has bred great discourse in several persons, and of several kinds : as my saying, I was persecuted for places, is applied to all and only those that I there name to be suitors, whereas the truth is, I meant thereby the importunity of others, whom at that time, I had not time to name as well as some there mentioned, for I confess 174. and 133. are not guilty of that fault ; some find fault of too much kindness to thee, thou may easily vote from what constellation that comes, but I assure such that I want expression, not will, to do it ten times more to thee on all occasions ; others press me, as being brought upon the stage ; but I answer, that, having professed to have thy advice, it were a wrong to thee, to do any thing before I had it. As for our treaty, leaving the particulars to this inclosed, I am confident thou wilt be content with it, as concerning my part in it, for all the soldiers are well pleased with what I have done, but expect no cessation of arms ; for the lower house will have none without a disbanding, and I will not disband, till all be agreed. Lastly, for our military affairs, I thank God, that here, and in the west, they

prosper well; as for the north, I refer thee to 226. 140. Information.
So daily expecting and praying for good news from thee, &c.

Copy to my wife, Feb. 13, 1643.

Oxford, Feb. 13, 1643.

A true copy, Zouch Tate.

*Instructions to Colonel Cockran, to be pursued in his negotiation to the
King of Denmark.*

YOU are to inform the King of Denmark, that, by his Majesty's command, as to the nearest ally of his crown, his uncle, and whom he believes will not be unconcerned in his affairs, as well in interests as affection, you are sent to give a particular account of the state of his Majesty's affairs, to renew the ancient league and amity that hath been between the two kingdoms, and families royal, and to reduce it to more exact particulars, such as might be useful to the present affairs of England, and all occurrences in the future of those of Denmark.

That the present affair of your negotiation is to demand an assistance from his Majesty, such a one as the present state of affairs in England requires, against a dangerous combination of his Majesty's subjects, who have not only invaded his Majesty in his particular rites, but have laid a design to dissolve the monarchy and frame of government, under pretences of liberty and religion, becoming a dangerous precedent to all the monarchies of Christendom, to be looked upon with success in their design.

That the nature of their proceedings hath been such, as hath not admitted any foreign treaty to be interested in suppressing their design, without giving them advantage of scandalising his Majesty's intentions, and drawing away universally the hearts of his people, whom they had insinuated, under pretence of reformation of particular abuses of government, and ministers of state, to concur generally with approbation of their proceedings, and in which (though the dangerous consequence and design were visible to his Majesty) a present compliance was necessary, lest any publick opposition on his Majesty's part, that might seem to defeat the great expectations which they had raised in the commons in those plausible particulars, might have occasioned a general revolt throughout the kingdoms, great jealousies being dispersed and fomented amongst them of his Majesty's foreign treaties and force, to be used to oppose and suppress those their desires, and the movers therein.

Upon the credit they had herewith built on the people's opinions, they proceeded under pretence of reformation of religion, to dissolve the government of the church, according to its constitution in England, a chief column and support to that monarchy and crown.

They lastly invaded his Majesty in all the prerogatives of his crown, and under pretence of ill ministers and counsellors of state, whom they pretended to remove, endeavoured to invest in themselves, in all times for the future, the dominion of all ministers of state, and his Majesty's

family; withdrew all his revenues into their own hands, and, to confirm themselves in an absolute power of disposing his estate, entered upon possessing themselves of the militia of the kingdom, his navy, and magazines; in which his Majesty being forced to appear in opposition, dangerous tumults were raised against him, so that he was forced to forsake London, for preservation of his person, his queen, and children.

That since, for the safety of the queen, he had been forced to send her into Holland, to retire himself to the best affected party of his subjects, from whence, by declarations, setting forth the sinister proceedings of that faction, discovering their designs of innovating the government, and falsifying the scandals they had imputed to him, he hath had the advantage generally to undeceive his people, to draw to him universally the nobility and gentry of the kingdom. But the other-faction, still keeping up some interest and credit with the commons, in the desperate estate they find themselves, begin to make head against him, have appointed a general, and are levying forces to maintain their party, committing divers acts of hostility, violence, and rebellion.

That his Majesty having great encouragements given him, by the exceeding numbers of gentry and noblemen that resort to him, is already advanced near them with six-thousand horse, and ten-thousand foot.

That the states of Holland have condescended to give her Majesty, the queen, a convoy of the greatest part of their fleet now at sea, for her return into England.

That divers forts and countries, upon his Majesty's personal appearance, have declared for him; so that his affairs at home grow daily into a better estate, as he likewise expects and hopes, that all his neighbour princes and allies will not look upon so dangerous a precedent to their own crowns and monarchies, without contributing to suppress this so pernicious a design, began within his kingdom.

That to give his Majesty the juster ground to reflect upon the dangerous consequences, in relation to his own interest, of their success: It hath been by them publickly moved in the commons house long since, to interpose in the accommodation of the Dutch, and to set out a fleet, to take away his customs of the Sound.

That they have since imputed to his Majesty, as a ground to scandal him with his people, that he did negotiate the introducing, by his uncle the King of Denmark, a foreign power to settle his affairs, and under that pretext, have given large commission, and particular instructions to the fleet, to visit, search, and intercept all such Danish ships as they should meet, and to fight with, sink, or destroy, all such as should resist them, not permitting the same, or to take and detain them, having any arms or ammunition on board; according to which, they have searched, visited, and detained divers, to the great prejudice and interruption of the Norway trade driven commonly in this kingdom, in their own bottoms: and that they did prepare force against others, whom they permitted not to water, nor any other accommodation, being bound for the West Indies, and put in by stress of weather in the west of England.

That in pursuance of their great design of extinguishing the royal blood,

and monarchy of England, they have endeavoured likewise to lay a great blemish upon his royal family, endeavouring to illegitimate all derived from his sister, at once to cut off the interest and pretensions of the whole race; which their most detestable and scandalous design they have pursued, examining witnesses, and conferring circumstances and times, to colour their pretensions in so great a fault: and which, as his sacred Majesty of England, in the true sense of honour to his mother, doth abhor, and will punish, so he expects his concurrence, in vindicating a sister of so happy memory, and by whom so near an union, and continued league of amity, hath been produced between the families and kingdoms.

That the particulars, in which his Majesty doth desire his assistance, are, in the loan, and raising of men, money, arms, and ships, all, or such of them, as may consist best with the convenience of his own affairs: and of such, in the first place, as may be most requisite and wanting to his Majesty.

That to set his levies on foot, and put him in a posture to protect his subjects in all places that adhere to him, and receive their contribution, one hundred-thousand pounds will be necessary for him, which his Majesty desires may be by way of loan. And, for the restitution of it, besides his kingly word, and solemn engagement upon this treaty, he is contented of such his crown jewels, as are in his disposal, to leave his royal pledge, if it shall be desired.

The particulars of arms that he desires are six-thousand musquets, one-thousand five-hundred horse-arms, and twenty pieces of field-artillery mounted.

Assistance of men he desires only in horsemen, and to know in what time they may be ready, and how many.

That the Holy Island, or New-Castle, are designed for the landing of the said horse, and magazine of the said provisions; for reception, likewise, and protection of such his ships as he shall think fit to employ, for the countenance and security of those his subjects that shall trade upon these coasts, and for ascertaining the correspondence and intelligence between the two kingdoms; in which the number is left to be proportioned, as may best sort and agree with his own affairs. And for which the Holy Island is conceived one of the aptest harbours in his Majesty's dominions, being capable of any ships whatsoever, in a very great proportion, an excellent road at the entrance, a ready outlet, and a strong fort, under his Majesty's command.

That in lieu of this assistance, contributed by the King of Denmark, his Majesty will oblige himself, and ratify in express articles, to restore into the magazines of Denmark a like proportion of arms and ammunition, to repay and defray the charges of money lent, and levies of horse; and so soon as his affairs shall be settled, and himself in a condition to do it, upon all occasions to contribute to the assistance of his fleet, in maintaining his right and title to the customs of the Sound, against all persons whatsoever; and to ratify the treaty that was made last by Sir Thomas Roe, to enter into a league offensive and defensive, against intestine rebellions. In pursuance of which treaty, while the negotiations and articles may be severally perfected, his Majesty doth

expect this first supply of money, and arms, his present affairs not admitting a delay in the same.

That in case the King of Denmark will lend money upon jewels, there is in Holland a great collar of rubies, and another of rubies and pearl, that may be sent to him, or delivered to his agent here; who may have order to pay the money here; or any other jewels.

That there have been in discourses several propositions of accommodation made by them to the King, to which the King hath at all times made more advances on his part, than in reason could have been expected from him, and the difficulties have still risen on theirs.

And that, whereas his Majesty doth understand, that a person is addressed to the King of Denmark from his parliament, to insinuate misunderstandings abroad with his Majesty's allies, as they have done at home among his people, his Majesty expects that he be neither received, nor permitted to remain within his dominions, to become an intelligencer and spy upon the treaty and negotiations between their Majesties, but that he be dismissed, and sent away, so soon as ever he shall arrive.

N. B. This paper, concerning Cockran, was not intercepted among the King's letters, but is otherwise attested.

ANNOTATIONS.

Much use may be now made of these precedent papers, and many things therein will appear very worthy of notice: For,

1. It is plain, here, first, that the King's counsels are wholly governed by the queen; though she be of the weaker sex, born an alien, bred up in a contrary religion, yet nothing, great or small, is transacted without her privity and consent. See pap. 28. If the prince makes suit to bestow a place in his own bed-chamber upon a gentleman of extraordinary merit, the King cannot grant it, to save his son's reputation, already engaged by promise, till he hath sent into France, and begged the queen's grant. See pap. 11.

2. The queen's counsels are as powerful as commands. The King professes to prefer her health before the exigence and importance of his own publick affairs. See pap. 14, &c. He avows constancy to her grounds and documents. See pap. 5, &c.

3. The queen appears to have been as harsh and imperious towards the King, pap. 34, as she is implacable to our religion, nation, and government. She doth the offices of a resident in France, to procure embargoes of our ships, to raise foreign forces against us; and in this she is restless, to the neglect of her own health: She vows to die by famine, rather than to fail the King in such like negotiations. See pap. 30. She confines not her agency to France, but sollicit Lorrain for men, and the Prince of Orange for shipping: She sends arms for Scotland to Montrose, speeds Col. Fitz-Williams's commission for Ireland, pap. 20, 21. The counsels also in England, which she gives the King, are of very pernicious consequence: Thereby the parliament must be disbanded, pap. 27. Treaties must be suspected; great care must be had in them of her, and her religion. pap. 30. Bishops and Catholics

must be specially provided for, pap. 31. The King must be forewarned, that he cannot be safe longer than he defends all that have served him, pap. 31. That peace cannot be safe to him without a regiment for his guard *A la mode du France*, pap. 30. She interposes so in the business of Ireland, that the King is not seen therein, nor obliged to any thing immediately, pap. 29.

4. The King doth yet in many things surpass the queen for acts of hostility, and covering them over with deeper and darker secresy. He employs Col. Cockran to solicit the King of Denmark, making not only papists our enemies for religion sake, but all princes, though protestants, for monarchy's sake; rather than fail of aid from thence, he stirs rumours about his mother's chastity; he promises to disoblige the Hollander in the business of the Sound: he pawns the jewels of the crown, pap. 39. He presses the queen, beyond her own fiery propension, urges her to make personal friendship with the Queen Regent, furnishes her with dextrous policies and arguments, to work upon the ministers of state in France. Of his own accord, without intreaty, he proposes to the queen the taking away all penal statutes against recusants in England. It is true, he doth all by way of bargain, for his own particular advantage: but the papists conditions are better than ours, in regard that the queen herself is trusted with that merchandise, pap. 8. He prostitutes his pardon and grace to the Irish rebels, importuning Ormond to use importunity to them, that they will accept of indemnity, and free use of popery, and desire nothing in lieu thereof, but that they will transport six-thousand men into England, and some other supplies into Scotland: for this purpose he sends posts after posts, and hastens the business, the rather because, being in treaty with the two parliaments of England and Scotland, about prosecution of the Irish, he may be prevented therein, and pre-engaged not to consent. See pap. 16, 17, 18, 19. He only excepts against appeals to Rome, and Premunire's; all other things he thinks cheap enough for the Irish: he must not now stand upon scruples (it is his own word) all things, not disagreeable to conscience and honour, are to be admitted; and so to grant free exercise of idolatry, though abjured formerly, to the most odious, flagitious murderers in the world, is but a scruple not disagreeable either to conscience or honour. To bargain away our acts of parliament by such clandestine engagements, as pass only by papers, and dare not look upon the light, especially such acts as concern our greatest interest, even those of religion, supposes us to be slaves of the basest alloy: and it is strange, that the Irish and papists should at all rest upon the strength of such assurances, when they see records and parliament rolls are of no vertue at all, either to the English or protestants. See pap. 16, 17, 18, 19. He calls us a parliament publicly, yet acknowledges us not a parliament secretly: he suppresses still his not acknowledgment, only he enters it in the council-book at Oxford; and so, though it be smothered to us, whom it most concerns, yet it is registered for our enemies use, upon all occasions of advantage. This favour we found from the council at Oxford, that the name, though not the thing, should be imparted to us: but even this was not willingly and freely allowed by the King; had but two of his advisers sided with him, all the reat should have

balanced nothing at all in this case. This is a sign they sit there to great purpose; for, though they are more worthy to be consulted with than parliaments, yet their votes are but indifferent things, mere formalities, especially if there be any dissent at all amongst them. See pap. 5. He, in shew, seeks treaties, and wins upon the people by that shew, yet chuseth such commissioners, and binds them up with such instructions, that all accommodation is impossible. His aim is to win upon our commissioners, and for this purpose gives authority to propose rewards, and other allurements, pap. 24. gives advices to cajole the Scots and independents. As to the Duke of Richmond, pap. 23. presses for foreign auxiliaries the more eagerly, pap. 12. 35. hopes to cast the odium of the breaking off the treaty upon our side, pap. 1. 7. 12. 15. 25. 37. He seems more zealous for bishops and papists (called his and the queen's friends) than the queen herself; and therefore assures her of his resolution therein, without any request of her's, pap. 7. He doth not think fit to treat with the rebels only by the interposition of the queen, or of Ormond, but he sends particular thanks to Brown, Muskery, Plunket, pap. 19. He pretends sometimes to have the hearts of the major and better part of his protestant subjects firm to him in this cause, yet trusts none but papists, and therefore is advised by the queen, pap. 31. by no means to disband for this reason, because all the militia is generally in the parliament's hands. We see what opinion the King hath of Wilmot, Percy, Sussex: we see what opinion he hath of the lords and commons at Oxford, who have deserted their trust here, out of confidence in him; the 13th paper here tells us plainly what use the King makes of them.

The King will declare nothing in favour of his parliament, so long as he can find a party to maintain him in this opposition; nor perform any thing which he hath declared, so long as he can find a sufficient party to excuse him from it.

And indeed, it is a sad consideration, to think what unhappy use the King hath ever made of the obedience, and patient loyalty of this nation; finding always that he might, without any opposition, or danger at least, deny their just liberties, laws, and the very use of parliaments; or, if some urgency, or his own necessities, or advantages, had caused him to call a parliament, he might afterwards, with as little opposition, deny whatsoever he granted under his own hand; as the petition of right, obtained with some difficulty, and broken immediately after without any scruple, may sufficiently testify. The pacification with Scotland was not assented to, until the English people shewed some averseness to that wicked war, and were loth any longer to fight for their own slavery; nor was that pacification any longer kept, than till a party strong enough was found to maintain the breach of it. But, without other instances, this parliament had been happy, the King glorious, and his people flourishing, if the King had found none to side with him against all these; and it is strange, that so long experience had not taught them more wisdom. But they are now justly rewarded, and if they will but view the King's letter, dated March 13, 1644, where it will be apparent to them, he calls those, who have deserted their trust in parliament, and given up their fortunes and consciences to a

compliance with his will, by the name of a base, mutinous, and mungrel parliament, and despises them for retaining some little conscience to religion, and this parliament. Lords and gentlemen, make the right use of this, and if you be not wicked enough to serve that purpose fully, to which you are designed, endeavour to repent, and learn so much goodness, as may bring you back to the right side. There will shortly be no medium left you; whatsoever you thought in the beginning, as our charity may think you were deceived, you will find at last, that unless you think and act the same things, which those inhuman Irish rebels, or the worst foreign enemies to our religion and state, could wish to see done, you are no fit instruments for that cause, which you have unhappily chosen; unless you return to the right way, you must go as far in the wrong one, as that will lead you. The chronicles tell us, that Henry, Duke of Buckingham, was dear to Richard the Third, whilst he had so much wickedness, as to further the deposing or disinheriting of his two nephews; but when he was not bad enough to consent to the murder of those princes, he was rejected by that King, and afterwards beheaded; if you cannot learn how to go through with wickedness, learn a better lesson, to return to goodness, or else, perhaps, the wrong which you have done your country, in betraying her trust, and by consequence shedding so much innocent blood, may be at last revenged upon you by them, for whom you did it. The King, who despiseth you by the name of mungrels, as not altogether firm enough to his own design, in another late letter to the Earl of Ormond, gives thanks to Muskery, Plunket, and Brown, the chief actors in that horrid massacre of Ireland: which may teach the world what kind of men he confides truly in, and who they are that must reap the benefit of his conquest, if God, for the sins of our English protestants, should permit it: if Muskery had been at Oxford, the King had had one man more of his own opinion, in not acknowledging the parliament of England; for want of such he is forced to complain. And you may plainly see, what a dishonourable use is made of your persons there, as men merely *operis secundi*, a number only that serve to give countenance and credit to the design of a dearer party, and to persuade your country, not for your own behoofs: what is said to you, may be said to all, that are led by you, to all those thousands which have followed the King as your train; for the same opinions, which render you now contemptible to the King, render you acceptable to the major part of protestants, which sides with you, and did at first make the King's power so considerable, as it is: if there be any thing of protestants, of Englishmen, of men remaining in you, resume that, whatsoever it be; either acknowledge yourselves such, as the King calls you, under the rose, when he opens his breast to the only partaker of his thoughts, or declare yourselves such patriots, such true sons of the church, as the King pretends you to be, when he spreads his oratory before the people. If we be rebels at London, because we are not so servile as you are, and you are mutineers at Oxford, because you are not so servile as the King would have you: let us know by what definition either you or we are measured, and how we are distinguished, and let us see that other third remaining party, which the King owns as his loyal faithful party indeed. It concerns

you to look both forward and backward; and having now taken the dimension of the King's mind, by his secret letters, turn about a while, and look upon the same in his publick declarations: see if you can reconcile his former promises to his present designs; for, as you have had some representation of the latter in the former part, you shall now be made spectators and judges of the former in this latter part. The King, according to Digby's superstitious observation, in his letter of January the fourteenth last, takes it as evident, that Strafford's innocent blood has brought the judgment of this civil war equally upon both sides, both being equally guilty thereof. The King's meaning is, that he, and his side, was as guilty in permitting, as the parliament was in prosecuting; but now for Canterbury's blood, that being totally put upon the parliament's score, he doubts not, but the hand of justice will from henceforth totally lay the weight of this guilt upon the parliament's side. The truth is, Strafford and Canterbury were the chief firebrands of this war, the two ill counsellors, that chiefly incensed the King against the Scots, and endeavoured to subject all these three kingdoms to a new arbitrary government, and were justly executed for attempting that subversion of law, which the King has perfected since. The King and Digby both adjudged Strafford worthy of death, yet not for treason, as it was charged; but not being able to save his life, without using force, and finding force very dangerous, they left him to the block, against conscience, as is now alledged. Canterbury remains in the same case, and now remorse of conscience, or rather the old project of altering law, suggests to the King, that, if no resistance be used, Strafford's precedent will cast Canterbury, and Canterbury's all the rest of the conspirators, and so the people will make good their ancient freedom still. Hereupon discontents break out; the King withdraws into Scotland; during his abode there, the rebellion in Ireland, some attempts against Marquis Hamilton, and others, in Scotland; and some other dangerous machinations in England, put us into strange terrors and apprehensions. The King, at his return, December the 2d, 1641, complains of these jealousies, frights, and alarms, with this profession: 'I am so far from repenting of any act done this session, for the good of my people, that, if it were to do again, I would do it, and will yet grant what else can be justly desired.' He concludes with a recommendation of the business of Ireland, and, finding the preparations for the same slow, again, on the fourteenth of December, he is pathetical in quickening thereunto. All this notwithstanding, the parliament finds the old faction at court to grow strong, and daily to attain to more prevailance with the King; which, besides other causes of jealousy, makes them lay open the indisposition of the whole state, in a plain and sharp remonstrance, December the fifteenth, with the remedies thereof proposed. The King, as to the business of religion, answers: 'For preserving of the peace and safety of the kingdom, from the designs of a popish party, we have, and will concur with all just desires of our people in a parliamentary way. For Ireland, we thank you for your care, and chearful engagement for the speedy suppression of that rebellion, the glory of God in the protestant profession, the safety of the British there, our honour, and this nation's, so much

depending thereupon, &c. Your promise to apply yourselves to such courses, as may support our royal estate with honour and plenty at home, and with power and reputation abroad, is that which we have ever promised ourselves, both from your loyalties and affections.' Here are words that sound nothing but grace, and here is a clear testimony from the King's own mouth, concerning the merit of this nation to this day; but, notwithstanding these promises and testimonies, the King discovers daily more and more regret for Strafford's execution, sticks closer to the counsels of the same faction, and, instead of hearkening to this parliament, he commands a charge of treason to be framed against six members, the most eminent and active in both houses. Also, upon the fourth of January, the King comes in person, with a great train armed, into the house, and missing the five members there, tells the rest, that he must have them wheresoever he found them. Here was the fatal commencement of the war; for, the next day, the house declares, that they cannot sit in safety any longer at Westminster, and therefore they adjourn for some days, and retire into the city. December the thirty-first, they petition for a guard out of the city, under command of the King's lord chamberlain, the Earl of Essex; which is denied; yet with these expressions: 'We are ignorant of the grounds of your apprehensions, but protest before Almighty God, had we any knowledge, or belief of the least design, in any, of violence, either formally, or at this time against you, we would pursue them to condign punishment, with the same severity and detestation, as we would the greatest attempt upon our crown; and we do engage solemnly the word of a King, that the security of every one of you from violence is, and shall be ever as much our care, as the preservation of us and our children.' These words were sweetly tempered, but won no belief, nor could overpower contrary actions; wherefore, the mayor, aldermen, and common-council of London, seeing nothing but symptoms of war in the court, framed a petition, praying the King, that the Tower of London may be put into the hands of persons of trust; that, by removal of doubtful and unknown persons from about Whitehall and Westminster, a known and approved guard may be appointed for the safety of the parliament; and that the accused members may not be restrained, or proceeded against, otherwise than according to the privileges of parliament. The King grants nothing, but answers, 'That his reception of such an unusual request is a sufficient instance of the singular estimation he hath of the good affections of the city, which he believes, in gratitude, will never be wanting to his just commands and service.' Hitherto the King speaks nothing, but in justification both of the city's, parliament's, and people's loyalty. The tumults about Whitehall, &c. amounted to no war, are imputed by the King to the rabble, and by us to the King's party; the parliament is acquitted, except six members, and the prosecution of them also is after declined by the King, yet the King departs from the city, as unsafe, seeing plainly it could not be averted from the parliament. Upon the twentieth of January, the King sends a message to parliament, to state the differences on both sides, promising, that, when they are digested into a body, fit to be judged of, it shall appear what he will do. In answer hereunto, the commons house (the lords refus-

ing to join) only petition for the raising up unto them, and the state, a sure ground of safety and confidence, that the Tower of London, and the Militia of the kingdom, may be put into such persons hands as they should recommend. The King replies, That the militia by law is subject to no command but his own, which he will reserve to himself, as a principal and inseparable flower of his crown; professes to take care of peace, and the rights of the subject, equally with his life, or the lives of his dearest children. He further also conjures them, by all acts of duty and favour received, by hopes of future mutual happiness, by their love of religion, the peace both of this kingdom and Ireland, not to be transported with fears and jealousies. The parliament could not believe themselves secured by these professions, or asseverations, and the King would not understand, that the settling the militia, at this time, in confiding hands, to prevent a civil war, was any other, than the taking the crown from his head. *Hinc illæ lachrymæ*; the King, nevertheless, persists to declare his abhorrence of the Irish rebellion, frequently inciting the parliament to send succours. He also strangely abjures any privity to plots, or designs against the laws, &c. and, further, makes strict proclamation, March the Sixteenth, for putting laws in execution against the papists. The parliament, seeing cause to suspect that the King and Queen did still favour Digby, and others, flying from the justice of parliament, and appearing to be incendiaries by letters intercepted; knowing also that the Queen was going into Holland to pawn the jewels of the crown for arms; and having divers other grounds of further apprehensions, again petition concerning the settling of the militia, and the King's return, but are denied in both. Thoughts of peace are now laid aside, and Hull being a strong town, and a magazine of arms, as also Newcastle being the publick magazine of fuel, and a rich place, are looked upon with solicitous eyes; but, as the Parliament prevents the King in Hull, the King prevents the parliament in Newcastle: Yet, the war, being so far advanced, is scarcely avowed on either side, nor is it agreed which part was put to the defensive; and therefore, on the second of June, 1642, before any bloodshed, another essay is made for peace, and the parliament's cause, stated fully in nineteen propositions, is dispatched to the King; the main things desired were reformation in church government, that power military and civil might be put into confiding hands, that justice of parliament might pass upon delinquents: But the answer returned is, That, if these things were granted, the King should remain but the outside, but the picture, but the sign of a King. This, though it was the trumpet of war, and the sound of defiance in effect, yet was not so owned, for still the King says, He intends not to fix any disloyal design upon both, or either house of parliament; he is rather most confident of the loyalty, good affections, and integrity of that great body's good intentions; but the malignity of the design, he says, hath proceeded from the subtle informations, mischievous practices, and evil counsels of ambitious turbulent spirits, not without a strong influence upon the very actions of both houses. This was the utmost charge of treason that could be then brought against the parliament, and the propositions of the parliament treated lately at Uxbridge, in February 1644, being no other in effect, than those of June 1642,

this inference may be truly made, That the King hath no cause to look upon us now, otherwise than as he did then; and, if he have varied since from those vows and asseverations which he made then, the blame will not remain on this side, but on his; so that the very calling to mind what hath been said by the King, will be now sufficient for our purpose:

1. Wherefore, as to the taking up of arms at all against the parliament, June the Third, 1642, the King, in his declaration to the freeholders of Yorkshire, renounces any intention of war; his words are, To the end this present posture, wherein we meet, should not affright you with the distempers of the times, we wish you to look into the composition and constitution of our guard, and you will find it so far from the face or fear of war, that it serves to secure you, as well as us, from it, &c. Also June the Sixteenth, in his declaration at York, he useth these words: We again, in the presence of Almighty God, our Maker and Redeemer, assure the world, we have no more thought of making war against our parliament, than against our own children. To the same purpose, he made all his lords sign a testimonial with their own hands, in affirmance of his profession. It is true, afterwards, when he took the field with his increased guard, and became the assailant at Hull, having possessed himself of Newcastle, he was driven to save himself by distinctions, for he had not disclaimed all war in general, but all invasive war; and, if the siege of Hull had some shew of invasion, yet, indeed, it was but in order to his defence, and this was a subtlety that all the subsigning lords, and others, it is thought, had not foreseen till now.

2. As to the waging war against the parliament, June the Sixteenth, the King disclaims all thoughts of war against his parliament; and, in July, after the date of the Earl of Essex's commission, he abhors the like, desiring no longer the protection and blessing of Almighty God up-himself and his posterity, than he and they shall solemnly observe the laws in defence of parliaments. Also, on August the twelfth after, he acknowledges, that the King and parliament are like the twins of Hyppocrates, which must laugh and cry, live and die together. So this guides us to more distinctions, that the King may defend himself against a parliament, yet not fight against it; or, he may assail a malignant party in parliament, yet not touch the parliament itself: These distinctions hold good on this side, not on that: But, by what distinction will the King put a short period to this perpetual parliament without violence? Or, how can he deny it the name of a parliament without hostility? Examine the letters further about this.

3. As to the waging of war by papists: The King, August the fourth, when the Earl of Essex's army was in forming, in his speech to the gentry of Yorkshire, avers, That he had taken order, that the power of the sword should not come into the hands of papists. And, August the tenth, he makes strict proclamation, That all papists, presuming to list themselves under him as officers or soldiers, should be punished, and a way, by oath, was prescribed for discrimination of them. Also, August the twenty-ninth, The King gives instructions his commissioners for arrays to disarm all papists. So, October the twenty-seventh, after the battle

at Edge-hill, the King thinks it worth his excuse, that he had some few popish commanders in his army, taken in of great necessity; he concludes thus: We shall never forget our several oaths in our several declarations; we are too much a christian to believe that we can break those promises, and avoid the justice of heaven. It is true, afterwards, a new distinction came to light, for, upon a petition from the Lancashire papists, the King did avow, The papists were, by law, prohibited arms in time of peace, not in time of war; and, therefore, he did not only authorise, but require them to arm themselves, servants, tenants, and use the same arms, &c. This distinction bore date long after the war begun, but that was want of invention only.

4. As to managing the war by Irish papists, he had never before named them but with a bleeding heart. His words once were: We hope the lamentable condition of Ireland will invite us to a fair intelligence and unity, that we may, with one heart, intend the relieving and recovering of that unhappy kingdom, where those barbarous rebels practise such inhuman and unheard of cruelties upon our miserable people, that no christian ear can hear without honour, nor story parallel. At another time, thus: We conjure all our subjects, by all the bonds of love, duty, or obedience, that are precious to good men, to join with us for recovery of that kingdom. In July, at the siege of Hull, he conjures both houses, as they will answer the contrary to Almighty God, To unite their force for recovery of Ireland. In October, from Ayno, in his proclamation, he excuses the taking of clothes and draught horses sent for Ireland, as done of necessity, and against his will. In December, the King answers some Irish protestants thus: Since the beginning of that monstrous rebellion, I have had no greater sorrow than for the bleeding condition of that kingdom. Nay, since the treaty at Uxbridge, the King, in publick, washes his hands of all countenance given to the rebels, and turns the blame upon the parliament, though in private he had been, as it were, a suitor to them for peace, and some assistance from them by private letters to Ormond. Query, How this may be reconcileable, &c.

5. As to the granting of a toleration, the King, March the ninth, 1641, in answer to the parliament's declaration, uses these words: Our faithful and zealous affection to the true protestant profession, and our resolution is to concur with our parliament in any possible course for the propagation of it, and suppression of popery. In April, 1642, he calls God to witness, with this assurance, That he will never consent, upon whatsoever pretence, to a toleration of the popish profession, or abolition of laws now in force against recusants. Also, April the twenty-fifth, He has no other end but to defend the true protestant profession, &c. God so deal with us, as we continue in these professions. So, in his speech at the head of his army, September the nineteenth. So, in his proclamation of pardon to London, October the twenty-ninth, All the professions we have made in our several declarations for suppression of popery and maintenance of religion, the laws, &c. shall be as inviolably observed by us, as we expect a blessing from Almighty God, and obedience from our subjects. Query, then, How this may be consistent with taking away statutes in England and Ireland, made for suppression of popery, and that by the arms of papists.

6. As to the bringing in of foreign force, the King, March the ninth, 1641, in his declaration from Newmarket, saith, Whatsoever you are advertised from Rome, Venice, and Paris, of the pope's nuncio's solliciting Spain, France, &c. for foreign aids, we are confident no sober honest man can believe us so desperate or senseless to entertain such designs, as would not only bury this our kingdom in sudden destruction and ruin, but our name and posterity in perpetual scorn and infamy. Also, March the twenty-sixth, 1642, about sollicitation suspected of the King of Denmark, his words are, We have neither so ill opinion of our own merits, or the affections of our subjects, as to think ourself in need of foreign force. Also, August the fourth, the King, in his speech to the gentry of Yorkshire, acknowledges, He is wholly cast upon the affections of his people, having no hope but in God, his just cause, and the love of his subjects. What distinction can now satisfy us, that neither Irish, French, Lorrainers, Dutch, nor Danes, are foreigners? The concealing of this, by sealing up the lips of the Queen and Ormond, and Cockran, must supply all distinctions.

A TRUE NARRATIVE

OF THE

OCCASIONS AND CAUSES

OF THE

LORD GENERAL CROMWELL'S ANGER AND INDIGNATION

AGAINST

LIEUTENANT-COLONEL GEORGE JOYCE,

(Sometimes Cornet Joyce, who secured the King at Holmby) and his proceedings against him to cashier him from the army, and imprison and destroy him in his estate.

Folio, containing four pages.

A LITTLE after the King was brought into the custody, or quarters of the army, notice was taken, that Cromwell lifted up his hands in the parliament, and called God, angels, and men to witness, That he knew nothing of Joyce's going for the King.

Thereupon, Joyce asked the said general Cromwell, What made him to speak such words? And, Whether he intended to do as the King had

done before him, viz. swear and lye? and bid him mark, What would be the end of such things; cautioning him to take heed and beware of such actions: But he slighted those warnings; and soon after flattered the said Joyce again with tears of seeming repentance.

The next occasion of difference, between the said Joyce and Cromwell, was, concerning the Marquis of Argyle's carriage in Scotland; at which time, speaking plainly to him, according unto his own exhortations; putting him in mind of former neglects of his, he immediately fell into a violent fit of passion against the said Joyce; and, laying his hand upon his sword, uttered many threats against him, in the presence of Captain John Vernon, and one more.

Not long after this, the said Joyce, with some other officers, went with a petition, to St. Albans, to General Fairfax, for justice against capital offenders; and from thence was sent to Pomfret leaguer, with a letter and message from our general and army, to know whether that brigade under Cromwell would join with us. And, while he was waiting for an answer, Cromwell took an occasion to fall out with him, and in a railing manner called him rascal, many times, and with great threats said, That he would make him write a vindication of him, against a book, intituled, 'The Grand Design Discovered.' Wherein were many things declared, concerning Cromwell's carriage towards Joyce, before he went to Holmby for the King; which afterwards he called God to witness, he knew nothing of.

And, had it not been for Colonel Dean, and others, who, through the mercy of God, prevented him, he had in all probability done him mischief at the same time.

Not long after this, the parliament was to be purged, which the said Joyce protesting against, was by the said Cromwell threatened to be destroyed.

But it came to such a height at last, that the said parliament must be dissolved forthwith; against which, the said Joyce protested, and gave him his reasons for it, viz. First, He feared he designed to be King by it. Secondly, That, if he dissolved the parliament, there would be no legal way to raise money for the army; which would be a means to take off the affections of all the parliament's friends; desiring therefore, it might not be dissolved, until they had by our means introduced a more righteous and equal government, which, in our declarations and remonstrances, they had held forth. Then was a certain select company of men to be sent for out of several counties; the said Joyce protested against that likewise, still telling him, that he intended by them to make himself King. At which, he was extremely angry with him, and in a great rage—After this,

About the year 1650, one Mr. Henry Philpott, being chief ranger of Finckley park in Hampshire, by a patent from the late king; the said park, for the delinquency of the said Philpott, was sequestered; by which means, it came into the hands of the Lord Delawar, who never accounted to the commonwealth, for one penny of the profits.

Whereupon, one Mr. Villers Philpott, kinsman to the former, desired him, that inasmuch as his cousin was beyond the seas, that he would get the said park into his possession, and he would engage, that

his kinsman, upon his coming over, should do this commonwealth very signal services, and such as few, besides himself, were able to perform.

To the latter he very readily hearkened, and thereupon procured Mr. Henry Philpott to come over; which he accordingly did, and gave so good an account of affairs abroad, that it came not short of his kinsman's word, nor his expectation. But for the former he was altogether unwilling, and offered him divers reasons against it, although his kinsman, upon his coming over, had made him several proffers, of assigning all his interest in the said park unto him; which he as often refused.

Notwithstanding which, he was continually importuned by both; but, nothing prevailing, they desired him to offer it to some friend of his, and alledged this, That it were indifferent to them, whoever had it, so it were out of the hands of him that then enjoyed it.

But he being as much to seek in this, as unwilling in the former; they earnestly intreated him, in regard of his more than ordinary knowledge (as they would persuade him he had) of the Lord General Cromwell, that he would prevail with him, or one of his sons, to take it into their hands; which, after some time and persuasion, he brought to this issue: That, upon the assignment of Mr. Philpott, and the resignation of the Lord Delawar, Mr. Richard Cromwell desired to take it; all which being accordingly done, he was possessed of it, and hath ever since enjoyed it. But, farther, there was this agreement between Mr. Richard Cromwell, Mr. Philpott, and himself, That if ever the said park were exposed to sale, that he should have the sole right of purchasing it, before either of them two: In order to which, he bought up all the arrears of Portsmouth, Hampton, and the better part of the Isle of Wight, at seven shillings and sixpence per pound, deeming himself obliged in conscience to allow the soldiers, who had equally ventured their lives with himself, a more proportionable rate than the common prices of one shilling, or one shilling and sixpence per pound.

After this, the parliament made an act for the sale of the King's lands, of which, the park aforesaid being parcel, it was amongst others surveyed, and exposed to sale; he having notice of it, by the consent of the Lord Richard, went to the committee, and, informing them of the matter at large, they ordered, that a stop should be put to the sale of the said park, for the present, and that, whenever it was to be sold, himself should have the pre-emption; giving this for the reason of their order, That he had deserved better, than so small a courtesy; by which means, the Lord Richard enjoyed the said park between four or five years longer, his debentures, all that while, lying dead upon his hands.

By this time, the greatest part, if not all the King's lands being sold, comes in one Captain Urland, and pretends a discovery of the said park; whereupon, the committee forgetting, or, at least, taking no notice of the former passages, order a new survey; which being returned, and the park upon sale, he went to him, then called Lord Richard (Cromwell, his father, having interrupted this parliament) and desired to know of him, Whether he would let the park go so, or whether he

had forgot our former agreement? His answer was, No, he had not forgot it, but for the park he would not meddle with it; and therefore bade him do in it what he would: Whereupon he pressed it to him, how convenient it lay for his estate, and therefore, if he pleased, he would purchase it, and he should have the whole, or half, at the same rate it cost him. To which he said, he wanted money. He replied, Let not that trouble you, I will purchase the whole, and trust you for one half, till you are able to pay me; but, before we proceed farther, I will acquaint your father; which being accordingly done, and he having shewn him a particular of other lands, that were likewise upon sale, and offered him his choice; he took me in his arms, and told me, that himself, his son, and family were more beholden to me, than all the world besides; and therefore bade me go on and prosper.

Upon this, he went the next morning about it, and, there being a full committee, he was just upon the point of contracting for the said park, when on a sudden in came the Lord Richard, his father then overtopping all in power, with three lawyers with him, and required them to proceed no further in it, in regard it was his own inheritance, and no park, as was supposed: Whereupon he informed the committee of the whole discourse, that passed between the general, his son, and himself the night before; upon which, he fell upon him in foul words, saying, Sirrah, Sirrah, hold your tongue, or I shall make you repent the time you were born; which the committee perceiving, they desired us to withdraw; and since that time never durst meddle with the park any farther.

Hereupon, the anger of the father and son waxed hot against the said Lieutenant-Colonel Joyce.

Upon this, and also upon the said Lieutenant-colonel's bearing testimony in the publick meetings of the officers against the army's apostasy at that time, who were then concurring to make the said Lord General Lord Protector, endeavours were used to ruin him; and to that purpose his lieutenant (who had before given information against the lieutenant-colonel, but could make nothing of it, as the commissioners, who had been appointed to examine the matters alledged, had signified to the general) was sent for from Portland, by General Cromwell, and by him encouraged to prosecute his lieutenant-colonel again, and, contrary to the course and custom of the army, privately appointed about nine officers, such as he could then trust in such an affair, viz. Colonel Whaly, Colonel G. Colonel Gravener, Lieutenant-Colonel White, and Lieutenant-Colonel Worsley, &c. to take the lieutenant's information against him; and they (having power thereunto) took his deposition against the Lieutenant-colonel, who falsly swore, That he should hear the Lieutenant-colonel say (in a discourse in Portland, about the death of Lockyer), That he was sorry, that Lockyer had not pistolled Cromwell; and thereupon sent him to prison without bail, and order was given, that he should be kept close prisoner. So he was carried away with musqueteers to the Meuse, and put into a close chamber within the common Dutch prison, where the lice creeped up very thick, and where he was forced to continue above ten days: After great importunity, he obtained a remove to another chamber in the Meuse, where

he fell sick with the filthy smells, and other inconveniencies, and continued ten weeks, but was often sent to by Oliver Cromwell, to lay down his commission, which he absolutely refused to do; declaring to all, how unworthily he was dealt with, and that what was sworn against him was false, and that it would at last appear to the view of the whole world; and, when they should understand what was the design, they would marvel. And, when he could not be persuaded out of his commission, articles were drawn against him; and by the false and double swearing, and prosecution of his lieutenant, so encouraged as aforesaid, and the officers privately instructed by their general, he was outed and cashiered, though the Lieutenant-colonel was, in his own conscience, clear of any crime or offence, punishable by any law, or deserving such usage.

After this, the said lieutenant moved the general, then called protector, for his promised preferment, and his charges, in prosecution; but he answered him in these words: You have not dealt, like a christian, with your Lieutenant-Colonel Joyce. To which the lieutenant replied, That he had done nothing, but what he had commanded him, and persuaded him into, upon hopes of preferment. Whereupon, the general thrust him out of his chamber, and bad him go like a knave as he was.

This was the case, but the effects of it were more considerable, as to the ruin of his estate; for, before he was in prison, he had made large contracts, and paid many pounds in part; by which means, he was indebted greatly to private persons, who, as soon as they heard he was in prison, came so thick upon him, that, to satisfy them, he was forced to sell at such under rates, or else relinquish his bargain, that he lost above three thousand pounds in money, and five hundred pounds per annum, in lands; and he pays interest at present for twelve hundred pounds, and he owes the commonwealth sixteen hundred and odd pounds, in money and bills, for the estate he now lives in; which being part of that which was the Lord Craven's, no man can deal in it, there being so many clamours about it.

And now, that he hath declared to your honours both his case and sufferings, he knows not what he should add more, unless it be to beseech your honours, so to take them into serious consideration, that, being vindicated to the world, he may once again appear to be an honest man, a true servant of his country; or else suffer according to his deserts, if he shall be found the contrary.

THE
EARL OF GLAMORGAN'S NEGOTIATIONS,

AND

Colourable Commitment in Ireland demonstrated;

Or, The Irish Plot, for bringing ten thousand men and arms into England, whereof three hundred to be for Prince Charles's life-guard. Discovered in several letters, taken in a packet-boat by Sir Thomas Fairfax's forces at Padstow in Cornwall. Which letters were cast into the sea, and by the sea coming in, afterwards regained; and were read in the honourable House of Commons. Together with divers other letters, taken by Captain Moulton, at sea, near Milford-Haven, coming out of Ireland, concerning the same plot and negotiation.

Ordered, by the commons assembled in parliament, that these letters be forthwith printed and published.

H. Elsyng, Cler. Parl. D. Com.

London, Printed for Edward Husband, Printer to the Honourable House of Commons. March 17, 1645. Quarto, containing thirty-six pages.

To the Honourable William Lenthall, Esq. Speaker of the Honourable House of Commons.

Bodman, March 7, 1645.

Sir,

THESE inclosed letters being brought to my hands, by Divine Providence, I held it my duty to speed to you, because of the great importance of them, and to acquaint you how I came by them.

Having some dragoons at Padstow, a packet-boat from Ireland came into the harbour; the dragoons presently endeavoured to board her; and after some small resistance, wherein the captain and the master of the vessel were slain, they entered, seizing upon one Captain Allen; the said Allen threw a packet and divers loose letters, over-board, of which only these inclosed were recovered: I shall send Allen with all convenient speed, up to you, whose examination you have also herewith inclosed: I find him to be a dangerous and subtle man; I believe he has much in his breast, which may be got out of him, by reason he is obnoxious as a spy, and a man who, I perceive, loves his life so well, that good use may be made thereof, to discover, by further examination, what we have not opportunity to do here, but

yét may be worthy of your knowledge: For it appears by some of the letters, that he hath much intrusted by the Earl of Glamorgan to him, to give a verbal account of; I have given Captain Moulton, who is upon the Irish seas, advertisement of the enemies intentions. To say no more, you will perceive by the date of the Earl of Glamorgan's letters, That he has the honour, trust, and liberty of a very good and loyal subject. I suppose you will see by these letters, what reason there is to hasten recruits with effect, which I must withal represent to be the more needful, in regard of the diminution, which cannot but attend those marches; and that hardship the army has been put to in such a country, and at such a season. I must acknowledge your provisions for this army to be very great, and the committee of the army's care, in observing your appointments, therein to be answerable. I desire I may faithfully improve your favours, as becomes an honest man, to the glory of God, and your service: And rest

Your most humble servant,

T. FAIRFAX.

To the Honourable William Lenthall, Esq. Speaker to the Honourable House of Commons.

Bodman, March 6, 11 at Night.

Sir,

IN my last, which was but yesterday by the post, I gave you an account of the agreement made for the delivery up of Mount Edgcomb, and the disbanding of the regiments raised in those parts, and of the coming of Mr. Coriton, and divers other gentlemen of quality; which is every day more apparent than other, by their hourly sending to the general, to be received into the protection of the parliament, which is now, in some measure, made known to the country, who had this day a meeting upon Bodman Downs: It was but yesterday they had notice, and one hundred of the four had not the notice come to them, yet about eight hundred or nine hundred appeared; and now for the occasion the meeting was desired, which was for this purpose, to let them know the army was come to protect them, not to ruin them: That the soldiers, horse and foot, had charge to defray their quarters: That, if any soldier offered violence unto them, upon complaint it should be redressed: That the gentlemen of the country, naming such and such persons, were come into the parliament, which did very much encourage the commonalty to be the more forward to hearken to what might be for the service of the publick, and defence of their own county: And that which wrought the impression deepest upon their hearts, was Mr. Peters's publishing to them the packets taken in the Irish vessel, which I mentioned unto you in my last letter, which he not only shewed unto them, but read the same, and permitted such of them, as desired it, to read them; and told them they should have copies of Glamorgan's articles, and his other letters, if they desired them, which abundantly gave them

satisfaction; and that which put it out of doubt was, That the ship and pacquets were seized on, and taken by the assistance of the inhabitants at Padstow, within their own county, but the day before: And indeed, it was a very seasonable and remarkable accident as could have happened, for the uniting of this county to the parliament; for the very thoughts of Irish and French are hateful unto them. Those letters, that were most considerable, miscarried in the water; which were the Earl of Glamorgan's to the Prince, Sir Edward Hyde, and to another; which Captain Allen, an Irish papist and merchant of Waterford, confesseth he had from the hands of the Earl of Glamorgan, to deliver as aforesaid. Upon his examination he said further, That the three hundred Irish, desired for the Prince's life-guard, were to be thus disposed: An hundred to be put into the mount, an hundred to Pendennis, and the other hundred to be a guard to the prince. The general hath sent post to Capt. Moulton, Admiral of the Irish coasts, to give him notice in what forwardness the Irish were to be transported, that they may keep out ships at sea for prevention: The trumpet, that went with the summons to the Lord Hopton, is not yet returned. To morrow early, the whole army, horse and foot, advances towards Truro: All passes, by-lanes, and fords being, for the most part, barricadoed or blocked up; so that, if the enemy should slip by, which we no ways fear, their marches will be so slow, that their rear will be engaged before they get half through the passage. Before this comes to your hands, without peradventure, the business will be very near decided by a treaty, or retreat into the sea. There came seven or eight of the Prince's servants this day for passes to go home, much lamenting the sudden carrying the Prince on shipboard, when they dreamed not of it. At Foy we took thirteen pieces of ordnance mounted, besides arms and powder: The first night the town stood upon their guard, but the next morning repented of their folly, and, without dispute, admitted our forces to come in. Be pleased to hasten down monies to the army, and match and powder with all speed to Lyme; neither of these will admit of delay: And hasten recruits, that they may meet us when we face about.

Your most humble and

faithful servant,

JOH. RUSHWORTH.

The examination of Allen is sent up by this bearer, who can inform you more of the carriage of the man: I hope the bearer will come safe with the letters; he is enjoined to have great care, he comes far with such a trust.

To the Prince his Highness.

May it please your Highness,

SINCE my coming from his majesty on the fourteenth of October last, I have gone in such untrodden paths, as have not afforded me the possi-

bility of making any address unto your highness, until this opportunity, which hath made me live under no small affliction, lest my actions should have been misrepresented to your highness, and lessen me in that good opinion of yours, which I value as the greatest blessing of my life. I shall not presume to trouble your highness with so tedious a narrative, as the reasons of my coming from the King, and the relation of my adventures since must needs be; but I have done it at large to Sir Edward Hyde, and I most humbly beseech your highness to give him leave to entertain you with them, at such leisure times, when he shall find that you can admit of it with least trouble; which that you may the more easily grant me, I shall not importune you myself with any thing more at this time, than this sincere protestation, that, while I have the honour to live in your highness's thoughts, in this favour I shall think myself above all misfortunes, how miserable soever otherwise; and I doubt not but your goodness will, by preserving me so happy in your memory, encourage me in that which you cannot hinder me, from being

Your highness's most humble

and most faithful servant,

GEORGE DIGBY.

To Sir Edward Hyde, Chancellor of the Exchequer.

My Dear Chancellor,

I SEIZE with much joy this occasion, that flatters me with the hopes of conveying safe unto you, and by you unto the rest of my friends there, an account of my adventures since you heard from me; these inclosed papers will give you a very particular relation of all matters of fact. I make no question, but my unsuccessfulness in that employment will give occasion to my enemies to accuse me of a great disservice to the King, in having been the loss of so many of his horse, not in the conduct of them (for I apprehend not malice itself in that point) but in putting them upon so desperate a design. This point I desire you to clear, by letting all, with whom you shall find the objection, know, that, altho' I was of opinion, that the King himself ought to have ventured, when he was at Welbeck, the passage into Scotland, in case there had been a certainty of my Lord of Montrose's being on this side Forth, yet, when that was once diverted, upon both my intelligence and advice, I had afterwards the least share of any man in the council in adventuring any part of the King's horse upon so hopeless a design, as that of Scotland was, while we were doubtful of my Lord of Montrose's condition; but the northern horse, being disgusted with Gerrard, refused absolutely to march back southward to Welbeck, and so, rather than they should disband, it was thought fit to try, whether they would be engaged to adventure to Montrose, who in all his letters had seemed much to resent

the neglect of him, in not sending him a supply of horse, assuring, that, with the help but of one-thousand, he could carry through his work. The proposition being made to Sir Marmaduke Langdale, he at first point-blank refused it, as an undertaking which had, by Gerrard and all the rest, been declared desperate, even with all the King's horse; but, upon second thoughts, finding that all his horse would disband, if they were drawn southward, he and all the northern gentlemen came to the King, and told him, that, if he would lay his commands upon me to take the charge, and to go along with them, they would adventure it, otherwise not: whereupon, I having declared my obedience to whatsoever the King should impose upon me, his Majesty commanded me positively to that charge, using, besides his pleasure, this argument to me, that, if I succeeded in it, I should reap much honour; if not, I could incur no prejudice by failing in that which was at first given for desperate: and so, at half an hour's warning, having (I protest to God) not dreamed of the matter before, I marched off from the rendezvous with an addition only to the northern horse of such as would voluntarily chuse to go with me, which proved to be a matter of three-hundred, with which I made that progress, which you will find related in the inclosed papers. But here I am sure you will wonder, how I, holding that place I did near the King, and having the honour of so great a part in his trusts, especially at a time when he had scarce either counsellor or penman about him, should be put upon so extravagant and desperate an employment. To this I must let you know, and such only as you shall think fit, that, though I had no thought of the present action, yet the King and I had long before (that is, ever since his affairs were made so desperate by the loss of Bristol) concluded it most for his service, that I should absent myself from him for some time, in case I could find a fair and honourable pretence for it. I believe, the accidents since befallen at Newark, with Prince Rupert and Gerrard, will have given you a light of some reasons of my remove. The truth [Here follow many lines of characters.]—————

Over and above these urging reasons, as to the time, upon the main of the King's condition and mine, I found the King likely to suffer much by my stay near him, the weariness of the war being so universal, and the despair of any improvement in his condition being so great in all about him, I found it almost every man's opinion. [Here come in more lins of characters.]—————

I thought it then high time to watch an opportunity of freeing his Majesty from an attendant so pernicious to his honour and interest; and this, my dearest friend, is as much as I think necessary to say unto you upon this subject, hoping, that, by your dexterous conveyance of it to his highness the prince of Wales, it will have the same impression with him, which I cannot doubt of with you.

Since my coming out of England, I staid a month, for a wind, at the Isle of Man; which time I cannot think mispent, having there received great civilities from my Lord of Derby, and had the means of a particular acquaintance with his noble lady, whom I think one of the

wisest and generousest persons that I have known of her sex. From thence, I and my company were very securely conveyed hither in a light frigate of his lordship's, where I found all things in a great forwardness, the conclusion of which was expected within few days, and great forces, as was pretended, already in a readiness for England, under the command of the Earl of Glamorgan, the confederates great general and favourite; but his lordship being sent for by my lord lieutenant and myself, to confer about the ways of disposing those aids most to the advantage of his Majesty's service, the businesses contained in the inclosed papers broke forth in such a manner as you will find there set down, and obliged me to that part in the King's vindication, which was thought could not so properly be performed by any as myself; you will find the whole business so fully stated in the transactions themselves which I send you, and in my letter to my brother secretary, that I shall need to say no more upon the subject, only let me ask you, whether, according to the rules of policy, I have not carried my body swimmingly, who, being before so irreconcilably hated by the puritan party, have thus seasonably made myself as odious with the papists? Well, my comfort is, that the very few honest men that are in the world will love me the better; and, whilst I do the part of a man of integrity and honour, I am willing to trust God with the rest. I must not conclude without telling you, that, if I had been brought hither by far greater misfortunes, I could not have repined at any thing that had given me the happiness of so particular a knowledge of, and friendship with, the Marquis of Ormond, who, if I can judge at all of men, is not only the wisest young man, but the most steady, generous, and virtuous person that I have ever known. I conjure you, as you love virtue, and as you love me, who have so little a share of it, build carefully by a diligent application upon those grounds which I have laid for a friendship between you; for, indeed, I love him so much, as I cannot be at rest till we make up the triangle equal on all sides, to that perfection wherewith I am

Dublin, Jan 4,
1645.

Yours,

GEORGE DIGBY.

Pray fail not to let my father partake of what I write to you, and General Goring also, as far forth as you shall judge necessary.

To Secretary Nicholas.

My good Brother,

YOU will receive by this dispatch a particular account from my lord lieutenant of the state of the treaty here, and of those conditions upon which he was hopeful suddenly to have concluded such a peace, as would have afforded his Majesty powerful and timely aids from this kingdom, had not the unfortunate madness (for I can give it no other name) of my Lord of Glamorgan, and the necessary proceeding thereupon,

cast all things back into a posture as uncertain and more dangerous than ever. You will receive from my lord lieutenant, and the council here, a punctual relation of the matter of fact; and it is referred to me to convey unto you, and by you to his Majesty, the circumstances and reasons of the whole proceeding against his Lordship.

About ten days since, matters of the treaty growing near to a conclusion, and, in confidence thereof, preparations being made by my Lord of Glamorgan, and the Irish, as they assured us, for the speedy sending over of three-thousand men for the relief of Chester, which were to be made up ten thousand before the beginning of March: it was thought necessary that we should confer with the said Earl of Glamorgan, and some of the Irish commissioners, to the end that, before my lord lieutenant's final consent to the articles of the treaty, the business of the King's supply might be reduced from discourse to a certainty, and directed, in the most advantageous way for his service; to which end (we little suspecting then what was since discovered) the said Earl of Glamorgan, and some of the Irish commissioners then at Kilkenny, were earnestly invited hither, both by my lord lieutenant and myself.

Upon Monday last, the day before the said Earl of Glamorgan was expected in town, my lord lieutenant received out of the north, from an honest and well-affected person, the copy which is sent you of my Lord of Glamorgan's articles and oath, with the confederate Catholicks, assured to have been found in the titular archbishop of Tuam's pocket, killed in October last at Sligo. At last, the thing appeared so impossible, as that we were apt to think it a forgery and plot against the King of the parliamentary rebels, till, considering the circumstances, formalities, and punctualities thereof, we grew to apprehend somewhat more in the matter; and, soon after, a second and third copy of the same coming to other persons, all with letters to the effect of this inclosed, it was then thought high time to take the business into most serious consideration; which being done by my lord lieutenant and myself, assisted by some of the wisest and best affected persons here, we soon concluded, that, if these things were once published, and that they could be believed to be done by his Majesty's authority, they could have no less fatal an effect than to make all men so believing conclude, all the former scandals cast upon his Majesty, of the inciting this Irish rebellion, true; that he was a papist, and designed to introduce popery even by ways the most unkingly and perfidious; and, consequently, that there would be a general revolt from him of all good protestants, with whom this opinion could take place.

Now, when we considered the circumstances convincing the truth of this transaction on my Lord of Glamorgan's part, and how impossible almost it was for any man to be so mad, as to enter into such an agreement without powers from his Majesty, and there being some kind of a formal authority vouched in the articles themselves, we did also conclude, that, probably, the greatest part of the world, who had no other knowledge of his Majesty than by outward appearances, would believe this true, and do according to that belief, unless his Majesty was suddenly and eminently vindicated by those who might justly pretend to know him best. Upon this ground it was also concluded by us,

that less than an arrest of the Earl of Glamorgan, upon suspicion of high treason, could not be a vindication of his Majesty eminent or loud enough; and that this part could not properly nor effectually be performed by any other person than myself, both in regard of my place and trusts near his Majesty: that the business of Ireland had passed, for the most part, through my hands: that I attended his Majesty about the time of the date of his Majesty's pretended commission: that, since that time I had, by his Majesty's command, written to the Irish commissioners a letter, whereof I send you a copy, so diametrically opposite to the said earl's transactions: and, lastly, in regard that my lord lieutenant, to whom, otherwise, his Majesty's vindication in this kind might properly have belonged, was generally thought to be unworthily couzened and abused in the matter, in case there was any such secret authority given by his Majesty to the Earl of Glamorgan.

This being our unanimous judgment of what was fit to be done, and by whom, the only question, then remaining, was to the point of time; in which we were also of opinion, that, if it was deferred till the business, growing publick otherways, should begin to work its mischief, his Majesty's vindication would lose much of its force, and be thought rather applied to the notoriety, than to the impiety of the thing, and rather to the pernicious effects, than to the detestable cause itself; notwithstanding I must confess unto you, that the consideration of frustrating the supplies of three thousand men, which were so confidently affirmed to be in readiness for the relief of Chester, in case the condition of that place could not bear the delay which this might occasion, wrought in us a very great suspension of judgment, whether the proceeding against my Lord of Glamorgan should not be forborne till that so necessary supply was sent away: but, the case being more strictly examined, we found, first, That, by the Lord of Glamorgan's oath, the forces were not to be hazarded till his Majesty's performance of the said earl's conditions. And, secondly, That the said supply was never intended by my Lord of Glamorgan and the Irish, till the articles of peace were consented to, which the lord lieutenant durst no wise do without a preceding vindication of the King's honour, since this transaction of my Lord of Glamorgan's was known unto him, and known to be known unto him by those who wanted neither art nor malice to make use of it; so that, the necessary forbearance to conclude the treaty frustrating as much the relief of Chester, as the sudden and vigorous proceeding against my Lord of Glamorgan could do, our resolutions did, in the end, determine upon that course, when, at the instant, to remove all objections, information was brought us, that the thing was already publick throughout the town, and began to work such dangerous effects, as, in truth, I do not believe that my lord lieutenant, or any of the King's faithful servants, could have been many hours safe in the delay of this his Majesty's and their vindication; which hath now been so seasonably applied, as that it hath wrought here not only a general satisfaction in all moderate men, but even such a conversion in many less well-inclined, that whereas before a peace with the Irish, even upon those unavoidable conditions, upon which my lord lieutenant must needs, within a few days, have concluded it, would hardly have

been published in this place without very much danger; men's minds are so secured and settled by this proceeding, as that, I believe, the peace now would be embraced upon those, and, perhaps, upon harder terms, without much mutiny or repining. This being so, our chief remaining fear is, lest what hath been done against my Lord of Glamorgan should so far incense the Irish, as to drive them to sudden extremes. Things here, on his Majesty's part, being in so ill a condition to enter again upon a war unto this danger, the best preventives we could think of are applied, this inclosed letter written to my Lord of Muskerry by my lord lieutenant; apt persons employed to Kilkenny, to acquaint them with the reasons and necessities of this proceeding: and, lastly, The articles of peace sent unto them with my lord lieutenant's assent, in the very terms proposed, and acquiesced in by themselves in the last results of this long treaty; which, in all probability, will have one of these two effects, either to make them conclude a peace, notwithstanding this intervening accident, whereby Chester may be speedily relieved, and his Majesty further supplied this spring, or make it break so foully on their side, as to divide from them the most considerable of their party. Whatever the event be, my lord lieutenant and I shall comfort ourselves with this satisfaction, that we have done what belonged to men of honour, faithful to their King, and to their religion, and as wisely as ours and our friends best understandings could direct us, leaving the rest to God Almighty, whom we beseech (*to direct) his Majesty to that course herein on his part, which may be correspondent to our faithful endeavours; and that he will bless them with as good effects upon the minds of all honest men, towards his Majesty's vindication in that kingdom, as I make no doubt but what we have done will have in this, when seconded and pursued by those further directions from his Majesty, which I am sure his own wisdom and princely indignation, to find his honour, conscience, and piety thus infamously traduced, will dictate unto him without further advice from

Dublin, Jan. 4,

Your

1645.

I believe you will be as much startled as I was, to find the signet mentioned in my Lord of Glamorgan's transaction; but it seems that was mistaken; and that he now pretends to some kind of authority under the King's pocket-seal, which I certainly believe to be as false as I know the other.

Articles † of Agreement, made and concluded between the Right Honourable Edward Earl of Glamorgan, in pursuance, and by virtue of his Majesty's authority, under his signet and royal signature, bearing date at Oxon, the twelfth day of March, in the twentieth year of his reign, for, and on the behalf of his most excellent Majesty of the one part, and the Right Honourable Richard Lord Viscount Mountgarret, Lord

* Some such words should be supplied to make it sense, though they be not in the original.

† This is the true copy of the articles sent by the Lord George Digby, to Secretary Nicholas, to be by him communicated to his Majesty.

President of the supreme Council of the Confederate Catholicks of Ireland, Donnogh Lord Viscount Muskerry, Alexander Mac Donnell, and Nicholas Plunket, Esqrs; Sir Robert Talbot, Baronet; Dermot O Brian, John Dillon, Patrick Darcy, and Jeffrey Browne, Esqrs; for, and on the behalf of his Majesty's Roman Catholick Subjects, and the Catholick Clergy of Ireland, of the other part.

Imprimis,

THE said earl doth grant, conclude, and agree, on the behalf of his Majesty, his heirs and successors, to, and with the said Richard Lord Viscount Mountgarret, Donnogh Lord Viscount Muskerry, Alexander Mac Donnell, and Nicholas Plunket, esqrs; Sir Robert Talbot, baronet; Dermot O Brian, John Dillon, Patrick Darcy, and Jeffrey Browne, esqrs; That the Roman Catholick clergy of the said kingdom shall, and may from henceforth for ever, hold and enjoy all and every such lands, tenements, tythes, and hereditaments whatsoever, by them respectively enjoyed within this kingdom, or by them possessed, at any time, since the twenty-third of October, 1641, and to all other such lands, tenements, tythes, and hereditaments, belonging to the clergy, within this kingdom, other than such as are now actually enjoyed by his Majesty's protestant clergy.

Item, It is granted, concluded, and agreed on by the said Richard Lord Viscount Mountgarret, Donnogh Lord Viscount Muskerry, Alexander Mac Donnell, and Nicholas Plunket; Sir Robert Talbot, Dermot O Brian, John Dillon, Patrick Darcy, and Jeffrey Browne, on the behalf of the confederate Roman Catholicks of Ireland, that two parts in three parts to be divided, of all the said lands, tythes, and hereditaments whatsoever, mentioned in the precedent article, shall, for three years next ensuing the feast of Easter, which shall be in the year of our Lord God 1646, be disposed of, and converted for and to the use of his Majesty's forces employed, or to be employed in his service; and the other third part to the use of the said clergy respectively: and so the like disposition to be renewed from three years to three years, by the said clergy, during the wars.

Item, It is accorded and agreed by the said Earl of Glamorgan, for, and in the behalf of his Majesty, his heirs and successors, that his excellency, the Lord Marquis of Ormond, Lord Lieutenant of Ireland, or any other or others authorised, or to be authorised by his Majesty, shall not disturb the professors of the Roman Catholick religion in the present possession, and continuance of the possession of their churches, lands, tenements, tythes, hereditaments, jurisdiction, or any other the matters aforesaid, in these articles agreed and condescended to by the said earl, until his Majesty's pleasure be signified, for confirming and publishing the grants herein articulated for, and condescended unto by the said earl.

Item, It is accorded and agreed by the said earl, for and in the behalf of his Majesty, his heirs and successors, that an act shall be passed in the next parliament, to be held in this kingdom, according to the tenour of such agreement or concessions, as herein are expressed; and, in the mean time, the said clergy shall enjoy the full benefit, freedom, and

advantage of the said agreements and concessions, and every of them. And the Earl of Glamorgan doth hereby engage his Majesty's royal word and publick faith unto the said Lord Viscount Mountgarret, and the rest of the said commissioners, for the due observation and performance of all and every the articles, agreements, and concessions herein mentioned, to be performed to the said Roman Catholick clergy, and every of them. In witness whereof, the parties to these presents have hereunto interchangeably put their hands and seals, the twenty-fifth of August, Anno Dom. 1645.

GLAMORGAN.

Signed, sealed, and delivered in the presence of John Somerset, Jeffrey Browne, and Robert Barry.

WHEREAS, in these articles, touching the clergy's livings, the Right Honourable the Earl of Glamorgan is obliged, in his Majesty's behalf, to secure the concessions in these articles by act of parliament: we holding that manner of securing these grants, as to the clergy's livings, to prove more difficult and prejudicial to his Majesty, than by doing thereof, and securing these concessions; otherwise, as to the said livings, the said earl undertaking, and promising in the behalf of his Majesty, his heirs and successors, as hereby he doth undertake, to settle the said concessions, and secure them to the clergy, and their respective successors, as another secure way, other than by parliament at present, till a fit opportunity be offered for securing the same, do agree and condescend thereunto. And this instrument, by his Lordship signed, was, before the perfection thereof, intended to that purpose, as to the said livings: to which purpose we have mutually signed this endorsement. And it is further intended, that the Catholick clergy shall not be interrupted by parliament, or otherwise, as to the said livings, contrary to the meaning of these articles.

GLAMORGAN.

Copia vera collata fideliter cum origin.

Tho. Cashell, F. Patricius, Waterford, et Lismor;

WHEREAS much time hath been spent in meetings and debates, betwixt his excellency James Lord Marquis of Ormond, lord lieutenant, and general governor of his Majesty's kingdom of Ireland, commissioner to his most excellent Majesty, Charles, by the grace of God, King of Great Britain, France, and Ireland, &c. for the treating and concluding of a peace in the said kingdom; of his Majesty's humble and loyal subjects, the confederate Roman Catholicks of the said kingdom of Ireland, of the one part, and the Right Honourable Donnogh Lord Viscount Muskerry, and other commissioners, deputed and authorised by the said confederate Roman Catholick subjects of the other part: and, thereupon, many difficulties did arise, by occasion whereof, sundry matters of great weight and consequence necessarily requisite to be condescended unto by his Majesty's said commissioner, for the safety of the said confederate Roman Catholicks, were not hitherto agreed

upon, which retarded, and doth as yet retard the conclusion of a firm peace and settlement in the said kingdom: and whereas the Right Honourable Edward Earl of Glamorgan is intrusted and authorised by his most excellent Majesty, to grant and assure to the said confederate Roman Catholick subjects farther graces and favours, which the said lord lieutenant did not, as yet, in that latitude as they expected, grant unto them: and the said earl, having seriously considered of all matters, and due circumstances of the great affairs now in agitation, which is the peace and quiet of the said kingdom, and the importance thereof in order to his Majesty's service, and in relation to a peace and settlement in his other kingdoms; and here, upon the place, having seen the ardent desire of the said Catholicks to assist his Majesty, against all that do, or shall oppose his royal right or monarchick government, and having discerned the alacrity and chearfulness of the said Roman Catholicks, to embrace honourable conditions of peace, which may preserve their religion, and other just interests: in pursuance thereof, in the twentieth of his reign, granted unto the said Earl of Glamorgan, the tenour whereof is as follows, viz,

CHARLES R.

Charles, by the grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c.

To our right trusty and well beloved Cousin, Edward, Earl of Glamorgan, greeting.

WE, reposing great and especial trust and confidence in your approved wisdom and fidelity, do by these (as firmly, as under our great seal, to all intents and purposes) authorise and give you power to treat and conclude with the confederate Roman Catholicks, in our kingdom of Ireland, if, upon necessity, any thing be to be condescended unto, wherein our lord lieutenant cannot so well be seen in, as not fit for us at this present publickly to own, and therefore we charge you to proceed according to this our warrant, with all possible secrecy: and, for whatsoever you shall engage yourself, upon such valuable considerations, as you in your judgment shall deem fit, we promise, on the word of a King, and a Christian, to ratify and perform the same that shall be granted by you, and under your hand and seal; the said confederate Catholicks having, by their supplies, testified their zeal to our service: and this shall be in each particular to you a sufficient warrant.

Given at our court at Oxon, under our signet, and royal signature, the 12th day of March, in the twentieth year of our reign, 1644; to our right trusty and well-beloved cousin, Edward, Earl of Glamorgan.

It is therefore granted, accorded, and agreed by and between the said Earl of Glamorgan, for, and on the behalf of his most excellent Majesty, his heirs and successors, on the one part, and the Right Honourable Richard Lord Viscount Mountgarret, lord president of the supreme council of the said confederate Catholicks, and the said

Donnogh Lord Viscount Muskerry, Alexander Mac Donnel, and Nicholas Plunket, esqrs; Sir Robert Talbot, baronet; Dermot O Brian, John Dillon, Patrick Darcy, and Jeffrey Browne, esqrs; commissioners in that behalf appointed, by the said confederate Roman Catholick subjects of Ireland, for, and on the behalf of the said confederate Roman Catholicks of the other part, in manner following: That is to say,

Imprimis, It is agreed, accorded, and granted by the said earl, for, and on the behalf of his most excellent Majesty, his heirs and successors, That all and every of the professors of the Roman Catholick religion in this kingdom of Ireland, of whatever estate, degree, or quality soever, he or they be, or shall be, shall, for ever hereafter, have and enjoy, within the said kingdom, the free and publick use and exercise of the said Roman Catholick religion, and of the respective functions therein.

Item, It is granted, accorded, and agreed by the said earl, for, and on the behalf of his Majesty, his heirs and successors, That the said professors of the Roman Catholick religion shall hold and enjoy all, and every of the churches by them enjoyed within this kingdom, or by them possessed, at any time, since the twenty-third of October, 1641; and all other churches in the said kingdom, other than such as are now actually enjoyed by his Majesty's protestant subjects.

Item, It is granted, accorded, and agreed by the said earl, for, and on the behalf of his most excellent Majesty, his heirs and successors, That all, and every of the Catholick subjects of Ireland, of what state and condition, degree, or quality soever, shall be free and exempt from the jurisdiction of the protestant clergy, and every of them; and that the Catholick Roman clergy of this kingdom shall not be punished, troubled, or molested for the exercise of their jurisdiction over their respective Catholick flocks, in matters spiritual and ecclesiastical.

Item, It is further accorded, granted, and agreed by the said earl, for, and on the behalf of his most excellent Majesty, his heirs and successors, That an act shall be passed in the next parliament to be held in this kingdom, the tenour and purport whereof shall be as followeth, viz. An act for the relief of his Majesty's Catholick subjects of his highness's kingdom of Ireland: Whereas, by an act made in the parliament held in Dublin, in the second year of the reign of the late Queen Elisabeth, intituled, 'An act for restoring to the crown the ancient jurisdiction over the state ecclesiastical and spiritual, and abolish all foreign power repugnant to the same;' and by another statute, made in the said last-mentioned parliament, intituled, 'An act for the uniformity of common prayer and service in the church, and the administration of the sacraments,' sundry mulcts, penalties, restraints, and incapacities are and have been laid upon the professors of the Roman Catholick religion in this kingdom, in and for, and concerning the use, profession, and exercise of their religion, and their functions therein, to the great prejudice, trouble, and disquiet of the Roman Catholicks in their liberties and estates, to the general disturbance of the whole kingdom: for remedy whereof, and for the better settling, increase, and continuance of the peace, unity, and tranquillity of this kingdom of Ireland,

his Majesty, at the humble suit and request of the lords and commons in this present parliament assembled, is graciously pleased, that it may be enacted: and be it enacted by the King's most excellency Majesty, the lords spiritual and temporal, and commons in this present parliament assembled, and by authority of the same, that from, on, and after the first day of this session of parliament, it shall and may be lawful, to and for all the professors of the Roman Catholick religion, of what degree, condition, or quality soever, to have and enjoy the free and publick exercise and profession of the said Roman Catholick religion, and of their several and respective functions therein, without incurring any mulct and penalty whatsoever, or being subject to any restraint or incapacity concerning the same, any article, clause, sentence, or provision in the said last-mentioned acts of parliament, or in any other act or acts of parliament, ordinances, law, or usage to the contrary in any wise notwithstanding. And be it also further enacted, that neither the said statutes, or any other statute, act, or ordinance heretofore made in your Majesty's reign, or in any the reigns of any of your highness's most noble progenitors or ancestors, and now of force in this kingdom; nor all, nor any branch, article, clause, and sentence in them, or any of them contained and expressed, shall be of force and validity in this realm, to extend to be construed, or adjudged to extend in any wise to inquiet, prejudice, vex, or molest the professors of the said Roman Catholick religion, in their persons, lands, hereditaments, or goods, for any thing, matter, or cause whatsoever touching and concerning the free and publick use, exercise, and enjoying of their said religion, functions, and profession. And be it also further enacted and declared, by the authority aforesaid, that your Majesty's Roman Catholick subjects in the said realm of Ireland, from the first day of this session of parliament, shall be and be taken, deemed, and adjudged capable of all offices of trust and advancement, places, degrees, and dignities, and preferments whatsoever, within your said realm of Ireland, any act, statute, usage, or law to the contrary notwithstanding; and that other acts shall be passed in the said parliament, according to the tenour of such agreement or concessions, as herein are expressed; and, that, in the mean time, the said Roman Catholick subjects, and every of them, shall enjoy the full freedom, benefit, and advantage of the said agreement or concessions, and of every of them.

Item, It is accorded, granted, and agreed by the said earl, for and on the behalf of his Majesty, his heirs and successors, that his excellency the Lord Marquis of Ormond, Lord Lieutenant of Ireland, or any other, or others, authorised by his Majesty, shall not disturb the professors of the Roman Catholick religion in their present possession, and continuance of the possession of their said churches, jurisdiction, or any other the matters aforesaid in these articles agreed and consented unto by the said earl, until his Majesty's pleasure be signified for confirming and publishing the grounds and agreements hereby articulated for, and condescended unto by the said earl. And the said Earl of Glamorgan doth hereby engage his Majesty's royal and publick faith unto all and singular the professors of the said Roman Catholick religion, within the said kingdom of Ireland, for the due observance and per-

formance of all and every the articles, grounds, and clauses herein contained, and the concessions herein mentioned to be performed to them.

Item, It is accorded and agreed, that the publick faith of the kingdom shall be engaged unto the said earl, by the said confederate Catholicks, for sending ten-thousand men to serve his Majesty, by order and publick declaration of the general assembly now sitting: and the supreme council of the said confederate Catholicks shall engage themselves to bring the said number of men armed, the one half with musquets, and the other half with pikes, unto any port within this realm, at the election of the said earl, and, at such time as he shall appoint, to be by him shipped and transported to serve his Majesty in England, Wales, or Scotland, under the command of the said Earl of Glamorgan, as lord general of the said army: which army is to be kept together in one intire body, and all other the said officers and commanders of the said army are to be named by the supreme council of the said confederate Catholicks, or by such others as the several assembly of the said confederate Catholicks of this kingdom shall intrust therewith. In witness whereof, the parties of these presents have hereunto interchangeably put their hands and seals, the twenty-fifth day of August, 1645.

GLAMORGAN,

Copia vera, collata fideliter Originali,

Thomas Cashell, F. Patricius,
Waterford et Lismore.

I Edward, Earl of Glamorgan, do protest and swear faithfully to acquaint the King's most excellent Majesty with the proceedings of this kingdom, in order to his service, and to the endearment of this nation, and punctual performance of what I have (as authorised by his Majesty) obliged myself to see performed; and, in default, not to permit the army intrusted to my charge to adventure itself, or any considerable part thereof, until conditions from his Majesty, and by his Majesty, be performed.

Sept. 3, 1645.

GLAMORGAN,

Copia vera, concordans de verbo et verbis cum Originali.

Tho. Cashell.

To the Lord Hopton.

Waterford, Feb. 28, 1645.

My Noble Lord,

IF the report of the many difficulties, wherewith I have struggled, in compassing my designs for his Majesty's service, have not before this reached you, a faithful relation of the whole will be made to you by the bearer hereof, Captain Allen, whom I desire your lordship to present unto the prince's highness, as an honest man, and one that proposeth a course for intelligence to pass between this country and his Majesty's quarters, whereof there is great need. Now (God be thanked) the business is brought to that upshot, that the ten-thousand

men are designed for his Majesty's service; six-thousand whereof are ready for transportation; the means for which are wanting, unless your lordship will please to solicit his highness the prince for transmitting what shipping those parts are furnished with, that all possible expedition may be used. We hear (God be thanked) that as yet Chester holds out, to relieve which the 6000 men are ready for transportation. This bearer hath intimated the prince's desire for having three-hundred men hence for his highness's life-guard, which may be transported to his highness by the return of such shipping as shall be sent hither for the aforesaid service. By his return, I desire to learn from your lordship the King's present state and being, that we may shape our designs accordingly. Thereby I should be most glad to know of the prince's and your lordship's good success and prosperity; for which none can be more solicitous, than I, who am,

My Lord, Your Lordship's most

affectionate, humble servant,

GLAMORGAN.

Dublin, Jan. 2, 1645.

Right Honourable,

I HAVE hitherto been so far from troubling you with many letters, that I can scarce abstain from excusing this address; but, as I hope you will do me the favour, to believe, that those omissions have proceeded out of a tenderness to molest you unnecessarily, and not out of any slothfulness in things essential to my duty, so in my own opinion I were now too much to blame, if after so long time, and some late hazards, I should not take this occasion to repeat unto you the assurances of my most humble service, proceeding from the due sense I have of your goodness to me; which howsoever I have been deficient in expressing, as to the outward, I assure your honour, I preserve the memory in a very sure cabinet, as a treasure there laid up wholly for your service, whenever you shall think me worthy the trial.

From what concerns the affairs of this kingdom, my lord gives you so full and particular an account thereof, that I cannot add to your knowledge of them: therefore, I shall sufficiently have observed the decorum of the place, and complied with my duty too, when I shall have made these few reflexions upon the general condition of those parts, and especially of the English quarters, which in my judgment is very sad, they being not only reduced within a very narrow compass of ground, but totally ruined, the whole country waste and uninhabited, farms and villages burnt down to the ground, not a garison of his Majesty's, 36. 45. 188. 23. 27. 58. 24. 12. 66. or any wise 5. 69. 11. 13. 38. 57. 61. 59. 70. 37. 71. 63. 40. 6. 5. 59. 72. just 66. 84. 45. 36. provisions of all sorts very scant. The corporations: 8. 35. 55. 16. 62. and 49. 63. 46. 68. 12. 2. 49. between 36. 4. 25. 15. 63. 6. 67. 29. 87. 4. 19. 34. 58. 42. 13. 11. 6. 66. 45. the 8. 16. 35. 67. 62. 51. 67. 70. 11. 29. 42. 200. 2. 15. 70. 16. 5. 31. 36. equal to either. The army in 66. 3. 55. 40. 29. 23. 12. 2. 34. 71. 38. 10. 62. as 300. 3. 22. 11. 6.

68. 29. 5. 58. 56. 37. 20. 39. above 45. 5. 35. 30. 59. 66. thousand 27. 58. 46. 2. 66. 48. 19. 40. 49. 16. 69. 12. foot, and 66. 67. 28. 34. 2. 62. 69. hundred horse, garisons and all, and those for the most part of 51. 52. 6. 4. 2. 3. 42. 2. 49. 71. 27. 39. 24. 26. 67. 68. 55. 56. 29. This place itself in a manner blocked up by the parliament ships, riding continually without it, and no less pinched at land by the Irish quartered within a very few miles of it. This condition of his Majesty's quarters here, compared with that of the Irish, contrary to it almost in every respect, may seem unlikely, upon any conditions offered hitherto, to further such a peace as must dispossess them of great advantages gotten by the war, and such a peace as thwarts the ambition and covetous desires of all those of the long-robe, whether they be their clergy or laity, and the sway and authority of their nobility, and the unlimited liberty of the people: the pope's interest consisting in being head, not of a militant, but triumphant church, and (it may be) the secret negotiations, which they have, and do still entertain with foreign princes. It is true, the duty that subjects owe to their prince should out-balance all such considerations; but I doubt, that duty is taught at Rome, with as many limitations, as at Edinburgh, or in Westminster itself: and, as for those reflexions that should be made upon the future, they are not for every capacity, but for understanding men only; and such may (for aught appears to me to the contrary) see as fair and promising hopes for themselves in our embroilments at home, as we can see for our advantage in their refusal and obstinacy; to which I may add this further consideration, how they will be able to suppress Inchiquin, assisted and supported from England, and maintain their own too, against the Scots, if they shall once have parted with ten thousand of their best men, and with so many arms; since it is plain that, since the cessation, they have made no great progress against either of the two, with their intire strength: For, as for any assistance they can expect from my Lord Lieutenant, it is inconsiderable, and these garisons must not be drained for fear of insurrections within, where we find much wavering, and such a hatred even in the soldiers themselves against the confederates, that I can promise myself but little good from their conjunction. Thus your honour may see what probability my Lord Lieutenant, though never so good a gamester, hath of the game in hand between the danger of war, and the difficulty of procuring an useful and honourable peace for his Majesty by this treaty. The proceedings whereof I leave to his lordship's relation, resting,

Sir, Your honour's most humble,

Affectionate, and obliged servant,

JOHN POINGDEXTER.

To the Lord Culpeper.

Waterford, Feb. 27, 1645.

My Lord,

HAVING overpassed many rubs and difficulties, the long expected work is at last compassed, which by what means it was retarded, your

lordship, perhaps, before hath learned, and will be more faithfully and amply related by the bearer, Captain Bamber, whom I have employed to his highness the Prince, to gave an account of the state of affairs here, and in what a mist we are for want of intelligence, whereby we might be ascertained of the King's and Prince's condition, which one Allen a merchant of Waterford proposeth to undertake a course for. And his highness's desire, which moved for three hundred men for the Prince's life-guards, which the Irish party is willing should be sent him by the return of such shipping as, I have humbly desired from his highness, might be sent hither to Waterford for to waft over the men, whereof six thousand are in a readiness for the relief of Chester (which yet we hear holds out) and the other four thousand, by the first of May, are to follow. Your lordship would extremely further the service by your representing to his highness the necessity of a course of intelligence, that we might not, as we are now, be buried in ignorance of his Majesty's and the Prince's being and condition; of which I hope your lordship will vouchsafe me some light, that our motion may be according thereunto, by which likewise to be ascertained of your lordship's welfare and happiness would be most welcome news to,

My Lord,

Your Lordship's most affectionate

and humble servant,

GLAMORGAN.

These several letters and papers, coming from Ireland, were taken at Milford-Haven, by Captain Moulton.

To the Right Honourable the Lords and Commons, for the Committee of the Admiralty, and Cinque-Ports.

Aboard the Lyon, in Milford-Haven, Jan. 23, 1645.

Right Honourable,

THESE contrary winds have, much against my desire, detained me still in this harbour, so that my intended voyage for Ireland hath not the free nor speedy passage I wished; but the first opportunity of wind, that offers itself, shall be laid hold of. Yesterday a barque, that stole away from Dublin, came in hither, wherein I found the inclosed letters, committed to a passenger, which I send unto your honours, to be disposed of, as to your honours shall seem good; this place being barren, both of news, and action to produce any, makes me forbear to give your honours any further present trouble, save to assure, that I am ever

Your Honours affectionate, humble,

and most obedient servant,

ROBERT MOULTON.

To Colonel Pigott.

Dublin, this 5th of Jan. 1645.

Worthy Cousin,

I HAVE here sent, inclosed, two letters, to the Countess of Glamorgan, at Ragland, her lord being lately confined here, to the Castle of Dublin; and lest her ladiship may take things too much to heart, these letters are sent to add some comfort. Both my lord, and I, shall acknowledge our thankfulness unto you, if you be pleased to use the best and speediest course you may, for conveying them to my lady; you were wont to honour noble ladies, especially in distress, and I am assured now, more than ever, having the happiness of enjoying so noble a lady of your own. Your father, mother, and friends in Leix are all in good health, and daily expect to hear good news out of England; thus not doubting of care herein, with my best wishes of happiness, to yourself, and your noble lady, not unmindful of our good friends all, I remain

Your assured loving cousin to serve you,

ROGER BRERETON.

To the Countess of Glamorgan.

Dublin, this 5th of Jan. 1645.

Madam,

I PRESUME that some rumours of my Lord of Glamorgan's being confined to the Castle of Dublin, for some matters laid to his charge by the Lord George Digby, have, before this time, come to your ladiship's hearing; I thought fit therefore, by these few lines, to let you know, that my lord is in perfect health, hearty, and very chearful, not doubting to give a satisfactory answer, to what may be laid to his charge. I have so much confidence in your ladiship's accustomed discretion, that I know there need no dissuasive arguments to your ladiship, from either grieving, or taking any reports you may receive to heart too much, not doubting but his lordship will before long see your ladiship, when you may partake of all things more fully, than may be by writing. My lord your uncle is in health at Bunrally, and with him there, the Earl of P. my Lord John, and my Lady Honora; I wish your honour all health and happiness, and am

Your Ladiship's still faithful servant

and kinsman,

ROGER BRERETON.

Lord Herbert, pretended Earl of Glamorgan, his letter to his lady.

My dearest Heart,

I HOPE these will prevent any news shall come unto you of me, since my commitment to the Castle of Dublin, to which, I assure thee, I went as chearfully and as willingly as they could wish, whosoever they were, by whose means it was procured; and should as unwillingly go forth, were the gates, both of the castle and town, open unto me, until I were cleared, as they are willing to make me unservicable to

the King, and lay me aside, who have procured for me this restraint: When I consider thee a woman, as I think, I know you are, I fear lest you should be apprehensive; but, when I reflect that you are of the house of Thomond, and that you were once pleased to say these words unto me, That I should never, in tenderness of you, desist from doing what in honour I was obliged to do; I grow confident, that in this you will now shew your magnanimity, and by it, the greatest testimony of affection, that you can possibly afford me; and am also confident, that you know me so well, that I need not tell you how clear I am, and void of fear, the only effect of a good conscience, and that I am guilty of nothing, that may testify one thought of disloyalty to his Majesty, or of what may stain the honour of the family I come of, or set a brand upon my future posterity. Courage, my heart, were I amongst the King's enemies you might fear; but being only a prisoner amongst his friends, and faithful subjects, you need doubt nothing, but that this cloud will be soon dissipated, by the sun-shine of the King my master; and did you but know how well and merry I am, you would be as little troubled as myself, who have nothing that can afflict me, but lest your apprehension might hurt you, especially since all the while I could get no opportunity of sending, nor yet by any certain probable means, but by my cousin Brereton's, Mr. Mannering's, our cousin, constable of the castle, and my Lord Lieutenant's leave; and I hope you and I shall live to acknowledge our obligation to them, there being nothing in this world, that I desire more, than you should at least hear from me; and I believe it, sweetheart, were I before the parliament in London, I could justify both the King and myself, in what I have done; and so I pray acquaint my father, whom I know so cautious, that he would hardly accept a letter from me, but yet I presume most humbly to ask his blessing, and as heartily as I send mine to pretty Mall, and I hope this day, or to-morrow, will set a period to my business, to the shame of those who have been occasioners of it; but I must needs say from my Lord Lieutenant, and the Privy-council here, I have received as much justice, nobleness, and favour, as I could possibly expect; the circumstances of these proceedings are too long to write unto, but I am confident, all will prove to my greater honour; and my right honourable accuser, my Lord George Digby, will be at last rectified, and confirmed in the good, which he is pleased to say, he ever had of me hitherto, as the greatest affliction that he ever had, did do what his conscience enforced him unto, and indeed did wrap up the bitter pill of the impeachment of suspicion of high treason in so good words, as that I swallowed it, with the greatest ease in the world, and it hath hither had no other operation, than that it hath purged melancholy; for as I was not, at the present, any way dismayed, so have I not since been any way at all disheartened. So I pray let not any of my friends, that is there, believe any thing, until ye have the perfect relation of it from myself. And this request I chiefly make unto you, to whom I remain

A most faithful, and

Most passionately devoted,

Husband and servant,

582 THE EARL OF GLAMORGAN'S NEGOTIATIONS, &c.

Remember my service to my brother, my cousin Brown, and the rest of my good friends.

To Thomas Piggot, Esq.

11th of January, 1645.

My dear Friend,

I HAVE very much to write to you concerning this place, and yet know not what to write; you have heard, I do believe, of the Earl of Glamorgan's agreement with the Irish, by which he undertook they should have all the churches within their quarters, and all other churches in the kingdom, not actually possessed by the protestant party, as also all the lands, tenements, tythes, and hereditaments belonging to the clergy, not actually possessed by the protestant party, and that they should be free from the jurisdiction of the protestant clergy; for which wild undertaking, my Lord Digby accused him of high treason, for which the Earl doth now stand committed in the Castle. What further effects this will produce, I am not able to judge, but the Irish give out, that they will treat no further with us, if that he be not set at liberty; it was part of his agreement with them, that they should send into England ten thousand men, to assist his Majesty, and a great part of them was ready to be shipped, where he was committed, which were thereupon staid; we are in a very sad condition here, environed with enemies of all sides, and in a very weak posture to defend ourselves, but the God of Jacob will I hope be our refuge. Your father and the rest of your friends are in good health. I would you had known my thoughts, or that I were with you for some time to unburden myself; God keep you and us, in the midst of these streights, and so in haste I rest

Your assured loving friend,

MAU. EUSTACE.

This gentleman hath some business to Bristol, I pray you to befavoured him therein; some estate is there fallen to him, and he is gone thither in pursuit thereof.

My own and my wife's service to your noble lady.

END OF VOL. V.

AN

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NAME	RESIDENCE	OCCUPATION	REMARKS
J. A. Smith	New York	Merchant	Born 1845, died 1900
W. B. Jones	Boston	Lawyer	Born 1850, died 1910
C. D. Brown	Chicago	Engineer	Born 1860, died 1920
E. F. White	Philadelphia	Banker	Born 1870, died 1930
H. G. Black	San Francisco	Doctor	Born 1880, died 1940
M. L. Green	London	Writer	Born 1890, died 1950
R. S. Hall	Paris	Artist	Born 1900, died 1960
K. P. Young	Berlin	Scientist	Born 1910, died 1970
L. M. King	Tokyo	Teacher	Born 1920, died 1980
N. O. Scott	Moscow	Engineer	Born 1930, died 1990
P. Q. Adams	Sydney	Merchant	Born 1940, died 2000
Q. R. Baker	Melbourne	Lawyer	Born 1950, died 2010
S. T. Carter	Auckland	Engineer	Born 1960, died 2020
T. U. Evans	Wellington	Banker	Born 1970, died 2030
V. W. Fisher	Christchurch	Doctor	Born 1980, died 2040



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